

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
JUNE 19, 2015**

(Published June 27, 2015, in *Finance and Commerce*)

CALL TO ORDER

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

On motion by B. Johnson, the agenda was amended to include under the Order of Resolutions a resolution establishing a Major League Soccer Stadium Work Group.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting of June 5, 2015, were adopted.

On motion by Glidden, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on June 23, 2015. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-247, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-859 at 3522 Aldrich Ave N, Minneapolis to Hashim Yonis for \$28,000, subject to conditions.

JUNE 19, 2015

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-247

By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-859 at 3522 Aldrich Ave N, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-859, in the McKinley neighborhood, from Hashim Yonis, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-859 from Northside Home LLC hereinafter known as the Alternate Redeveloper, the Parcel TF-859 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-859; 3522 Aldrich Ave N: Lot 21, Block 1, Hilltop Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$28,000, for Parcel TF-859; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$28,000 for Parcel TF-859; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 29, 2015, a public hearing on the proposed sale was duly held on June 9, 2015, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$28,000 for Parcel TF-859.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper, as appropriate; in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-248, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-849 at 2701 Oliver Ave N, Minneapolis to Reliable Property Maintenance & Home Service LLC for \$1, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-248
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-849 at 2701 Oliver Ave N, Minneapolis.

JUNE 19, 2015

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-849 in the Jordan neighborhood, from Reliable Property Maint. & Home Srv. LLC, hereinafter known as the Redeveloper, the Parcel TF-849 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-849; 2701 Oliver Avenue North: Lot 7, Block 4, Supplement to Forest Heights, Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$ 1.00, for Parcel TF-849; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 29, 2015, a public hearing on the proposed sale was duly held on June 9, 2015, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$ 1.00, for Parcel TF-849.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-045 amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances related to Liquor and Beer: In General, allowing approved outdoor bar and bar areas at micro distilleries and taprooms located outside of the central commercial district.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-045

By Gordon

Intro & 1st Reading: 4/3/2015

Ref to: CD&RS

2nd Reading: 6/19/2015

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 360.100 of the above-entitled ordinance be amended to read as follows:

360.100. - Regulation of outdoor areas in on-sale liquor, wine, and beer establishments. The following regulations shall apply to all outdoor areas in on-sale liquor, wine, and beer establishments, including establishments holding sidewalk cafe permits:

(a) Every outdoor area must be approved as part of the original licensed premises or by the granting of an application for expansion of the licensed premises. Any expansion of the outdoor area of a licensed premises shall require a public hearing and notification as described in section 265.300 of this Code.

(b) Entertainment:

(1) Every outdoor area shall be deemed presumptively to be licensed as Class E, unless a higher class of license has been expressly granted to the outdoor area by the city council in the manner required by this Code.

(2) In the central commercial district described in section 360.10, the city council may grant a license to an outdoor area in any class.

(3) Outside the central commercial district described in section 360.10, no outdoor area shall be granted a license higher than Class D and entertainment shall only be permitted on private property on street level.

(4) Regardless of the class of license issued to an outdoor area, the city council may further restrict the days, hours, nature, volume, and other aspects of entertainment in any outdoor area, including a prohibition against all forms of nonlive music, radio, television, and other entertainment, to protect the safety, repose, and welfare of residents, businesses and other uses near the establishment.

(5) The city council may authorize an establishment to conduct entertainment not otherwise allowed under its license in an outdoor area by permit temporarily for special events. Application for such permit shall be filed with the licensing official on a form prescribed by the licensing official. The fee for a temporary entertainment permit shall be as established in the License Fee Schedule.

~~(c) Service and capacity restrictions outside the downtown/eastbank commercial district. It is the policy of the city council that outdoor areas, located outside the downtown and eastbank commercial district described in section 360.10, are intended primarily for the service of patrons at tables and for the consumption of alcoholic beverages in conjunction with food service. Outside the downtown and eastbank commercial district described in section 360.10, no bar shall be located in an outdoor area except a service bar for the exclusive use of employees. In any approved outdoor area located outside of the Central Commercial District, service shall be provided only at tables, located within the approved outdoor area and not at any outdoor bar or other location within the outdoor area, except that service may be provided at an approved outdoor bar or bar area of the licensed brewer taproom or cocktail room. However, this shall not prohibit patrons from carrying beverages from an inside area to the outdoor area. Customers shall not be allowed to occupy the outdoor area in greater numbers than the seating or service area capacity permits. An exemption to the service bar requirement of this subsection may be granted to an establishment which demonstrates that it regularly maintained a bar open for service to customers in its outdoor area prior to April 1, 1989.~~

(d) The licensee shall provide food service in all outdoor areas during all hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items, and nonalcoholic beverages.

(e) All new and remodeled outdoor areas shall be handicap accessible. All existing outdoor areas shall comply with building codes relating to handicap accessibility. No outdoor area shall reduce existing handicap accessibility.

(f) The city council may restrict the hours of operation of an outdoor area based upon proximity of the area to residential dwelling units, and upon considerations relating to the safety, repose, and welfare of residents, businesses, and other uses near the establishment.

(g) The city council may require that access to and egress from an outdoor area only be through the door connecting it to the remainder of the premises, or to property controlled by the licensee.

(h) The licensee shall be responsible for picking up trash and litter generated by the operation of the outdoor area within a reasonable distance from the area.

(i) The city council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment, or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension, or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

(j) All special restrictions relating to the hours of operation and types of entertainment in an outdoor area shall be endorsed on an addendum to the license certificate and posted in the establishment with the license certificate.

(k) In any on-sale liquor, wine, and beer establishment where the licensee has city council approval to operate an outdoor area, and which is located within the Central Commercial District, as defined in section 360.10, the licensee is prohibited from serving any alcoholic malt beverage or non-alcoholic beverage in an original container manufactured from glass after 11:00 p.m. In addition to the prohibition on serving alcoholic malt beverages or non-alcoholic beverages in original containers manufactured from glass, the licensee shall not allow patrons to carry such beverage containers from an indoor area into an outdoor area.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-046 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding or deleting language to remove conflicts with Minnesota Statutes and Rules regarding the Minnesota Lodging Code.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-046

By Gordon

Intro & 1st Reading: 5/1/2015

Ref to: CD&RS

2nd Reading: 6/19/2015

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 244.1020 of the above-entitled ordinance be amended to read as follows:

244.1020. State code incorporated. The Minnesota Lodging Code, Minnesota Rules, Chapter 4625, and Minn. Statute Chapter 327, and amendments thereto, are is hereby adopted by reference and is incorporated in this title as fully as if set forth herein, subject to and including such portions as are

supplemented by Chapter 244, articles X and XII, rooming houses and lodging establishments, and hotels, of this Code.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

CD&RS – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 278450 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

CD&RS – Your Committee recommends approval of the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Tanya Orosz, 424 Brookwood Dr, Hudson, WI, allowing the licensee to retain the Mobile Food Vehicle Vendor License for Lulu's Street Food, subject to adherence with the conditions contained therein, as set forth in the Department of Community Planning and Economic Development/Licenses and Consumer Services Division report, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

CD&RS - Your Committee, having under consideration the Rental Dwelling License for property at 4255 Penn Ave N, Minneapolis, held by Li Ding, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Regulatory Services to approve the reinstatement of said license.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-047 amending Title 5, Chapter 87 of the Minneapolis Code of Ordinances related to Building Code: Administration and Enforcement, relating to the expansion of the required neighborhood mailed notice to property owners from 50' to 350' within the permit site inviting them to a neighborhood informational meeting to be held within three miles of the permit site.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-047
By Palmisano
Intro & 1st Reading: 2/13/2015
Ref to: CD&RS
2nd Reading: 6/19/2015

Amending Title 5, Chapter 87 of the Minneapolis Code of Ordinances relating to Building Code: Administration and Enforcement.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 87.350 of the above-entitled ordinance be amended to read as follows:

87.350. - Permit requirements and standards.

In addition to all other applicable requirements of this Code, the state building code, and state statutes, the following are required for the wrecking, demolition, and new construction of single-family and two-family residential dwellings:

(a) *Construction contact information.* Prior to any work being done on the permit site, a sign must be posted identifying the nature of the construction activity, the permit holder, a contact name and phone number, the site address, and a contact phone number at the city to report problems. The sign shall be twenty-four (24) inches by thirty-six (36) inches in size with readable lettering as viewed from the street. All information must remain current and the sign must be posted without obstruction in the front yard until completion of the work.

(b) *Neighbor notification.* At least fifteen (15) calendar days before any ~~work~~ construction begins on the permit site, the permit holder shall provide mailed notice to all property owners within three hundred fifty (~~300~~ 350) feet of the permit site inviting them to a neighborhood informational meeting. The meeting shall be held at least five (5) days before any ~~work~~ construction commences and shall be held within three (3) miles of the permit site. Topics discussed must include the construction plans, hours of operation, work schedule, estimated completion date, erosion and sediment control, dumpster location, noise mitigation, dust control, portable bathroom location, debris removal schedule, and site placement for building materials and equipment. The permit holder shall maintain a copy of the written meeting notice, the agenda, and a confirmed attendance list, which shall be available for review by the city.

(c) *Complaint log.* The permit holder shall maintain a log of all concerns and complaints that it receives during the duration of the permitted activity. The permit holder shall document the resolution to each complaint. The log shall be furnished for immediate review by the city upon request.

(d) *Site and surrounding maintenance.* The site must be maintained in a neat and orderly condition. Prior to leaving the construction site at the end of each day, the permit holder must remove empty cans, paper, plastic and other material that is not needed for construction from the site or deposit them in a dumpster. The permit holder must keep streets, sidewalks, boulevard areas and adjacent properties clean from waste, materials or refuse resulting from operations on the site. Inoperable equipment and equipment not being used on the site must be removed within twenty-four (24) hours after it becomes inoperable or is no longer in use. Where work on any project lies within areas of pedestrian traffic or vehicular traffic, the project area must be cleaned and swept and all materials related to the project must be stockpiled in appropriate areas. Debris must be contained on the project site. No material may be deposited or stockpiled on the public streets, boulevards, sidewalks or adjacent property.

(e) *Dumpster placement.* Dumpsters shall be located entirely on the permit site and not on a sidewalk. If street placement is required, the permit holder must obtain a street use permit from the city that shall be attached to the exterior of the dumpster with a copy retained with the on-site construction plans. Dumpsters must be covered during all non-work hours.

(f) *Portable restroom placement.* Portable toilets shall be located to the rear of the project site and not within fifteen (15) feet of an adjacent property. No portable toilets shall be placed on a public street, sidewalk, or boulevard area without obtaining the proper permit from the city. The permit holder is responsible for the security and maintenance of the portable toilet.

(g) *Dust control.* Dust control is the responsibility of the permit holder. The permit holder must address dust problems immediately upon receiving notice from the building official.

(h) *Drive entrance.* A drive entrance pad or its equivalent shall consist of an all-weather, large aggregate material capable of minimizing the tracking of dirt from the permit site. The location of the construction drive entrance shall be approved by the building official and noted in the on-site construction plans.

(i) *Tree protection.* The building official may order the installation of protective fencing around boulevard trees and trees that will not be removed during construction. The building official may also require the submission of a tree preservation plan.

(j) *Damage to public property.* The permit holder must repair any damage to public property, streets, and sidewalks. The permit holder shall furnish photographs of the existing condition of the property, curbs, sidewalks, streets, boulevard, and trees adjacent to the permit site prior to commencing any work. If damage occurs to the foregoing, it must be repaired within three (3) working days after the damage occurs, unless the permit holder has received written permission from the building official to delay repairs to a later specified date. The building official may require the submission of a soils investigation report and/or shoring plan.

(k) *Protection of adjoining property.* Adjoining property shall be protected from damage during any construction work on the permit site. Excavations for any purpose shall not remove lateral support from any footing or foundation without first protecting the footing or foundation against settlement or lateral translation. The building official may require the submission of a soils investigation report and/or shoring plan.

(l) *Surface drainage.* The permit holder shall protect all storm drain inlets with sediment capture devices prior to soil disruption during the project when soil disturbing activities may result in sediment-laden stormwater runoff entering the inlet. The permit holder shall provide effective storm drain inlet protection during the duration of the project until all surfaces with the potential for discharging sediment to an inlet have been stabilized.

(m) *Survey requirement.* Prior to any construction activity, an as-built survey and topographic survey must be submitted as part of the site plan review and is required to note the front and side yard setbacks on directly contiguous properties on the sides of the home. For properties on corner lots, contiguous properties must be included in the survey. As-built surveys are required to be submitted during the course of construction as follows:

(1) An as-built survey indicating the floor level of the existing home at the main entry must be submitted with an application for a demolition permit.

(2) An as-built survey indicating the top of foundation and structure setbacks must be submitted prior to foundation inspection.

(3) An as-built survey indicating actual site conditions, including all structures and contours must be submitted prior to issuance of a certificate of occupancy.

(n) *Written Notification of Excavation.* Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of buildings within three hundred fifty (350) feet of the permit site advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than ten (10) days prior to the scheduled starting date of the excavation.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

CD&RS - Your Committee recommends confirmation of the following Mayoral appointments to the Minneapolis Workforce Council, as follows:

Two-year terms beginning July 1, 2015 and expiring June 30, 2017

Seat 1, Md Abdullah Al Miraz, Ward 12, business representative

Seat 4, Elizabeth Campbell, Ward 2, business representative

Seat 5, Jashan Eison, Ward 5 (work), business representative

Seat 8, Tyler Olson, Ward 3, business representative

Seat 9, Tara Watson, Ward 5 (work), business representative

Seat 12, Scott Lehner, Ward 3 (work), business representative

Seat 13, Robert Reedy, Ward 1 (work), Title I Rehabilitation Act representative

Seat 15, Daniel McConnell, Ward 2, labor representative

Seat 16, Avelino Mills-Novoa, Ward 7 (work), higher education representative
Seat 17, Carlye Peterson, Ward 5 (work), adult education representative
Seat 20, Garat Ibrahim, Ward 9 (work), labor-apprenticeship representative
Seat 21, Craig Bistodeau, Ward 1 (work), apprenticeship representative.

One-year term beginning July 1, 2015 and expiring June 30, 2016
Seat 19, Ibrahim Noor, Ward 9 (work), State employment service representative.

Further, that the residency requirement be waived for those appointees residing outside of the City, in accordance with the requirements of Chapter 14.180 of the Minneapolis Code of Ordinances, which allows a waiver for persons providing a unique and special benefit to the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-249, authorizing execution of an amended and restated joint powers agreement with the Port Authority of the City of Saint Paul for a property assessed clean energy improvement financing program.

RESOLUTION 2015R-249

By Goodman

Authorizing execution of an amended and restated joint powers agreement with the Port Authority of the City of Saint Paul for a property assessed clean energy improvement financing program.

Whereas, the Port Authority of the City of Saint Paul (the Port Authority has established the Property Assessed Clean Energy Program ("PACEMN") to finance the acquisition and construction or installation of energy efficiency and conservation improvements (the "Improvements") on properties located throughout the State of Minnesota through the use of special assessments pursuant to the authority granted by Minnesota Statutes, Sections 216C.435 and 216C.436 (the "Act") and Minnesota Statutes, Chapter 429; and

Whereas, pursuant to Resolution 2013R-525, adopted by the Minneapolis City Council on December 6, 2013, the City designated the Port Authority as the "implementing entity" pursuant to the Minnesota Statutes, Section 216C.435, subd. 6, to implement and administer the program on behalf of the City and entered into a joint powers agreement with the Port Authority; and

Whereas, the Port Authority intends to revise the program to provide for financing of Improvements by the Port Authority or a lending institution using its own financial resources ("Loans") in addition to the previously contemplated special assessment revenue bonds (the "Bonds"); and

Whereas, the City and Port Authority desire to enter into an Amended and Restated Joint Powers Agreement to memorialize the changes to the agreement;

Now, Therefore, Be It Resolved by the City Council of The City of Minneapolis:

That the City shall enter into an Amended and Restated Joint Powers Agreement with the Port Authority for the purposes described in the Act and hereby authorizes the execution of the Amended and Restated Joint Powers Agreement.

Be It Further Resolved that the Amended and Restated Joint Powers Agreement will provide that in order to facilitate and encourage the financing of the Improvements located within the City, the City will levy assessments for said Improvements on the property so benefitted in accordance with Minnesota Statutes, Chapter 429, and the Program Documents as defined in the Amended and Restated Joint Powers Agreement. The interest rate on the special assessments shall be the interest rate on the applicable Bond or Loan, plus 0.5%.

Be It Further Resolved that the Amended and Restated Joint Powers Agreement will provide that after imposition of the special assessments the City will collect such assessments and remit them to the Port Authority for use in the repayment of the Bond or Loan, as applicable. The City will take all actions permitted by law to recover the assessments, including without limitation, for tax forfeit parcels, reinstating the outstanding balance of assessments when the property returns to private ownership, in accordance with Minnesota Statutes, Section 429.071, subd.4.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted

CD&RS - Your Committee recommends that the proper City officers be authorized to amend City financing agreements to accommodate a Housing & Urban Development (HUD) insured first mortgage refinance for the Vantage Flats Apartments (aka Minnehaha Apartments) located at 5359 Minnehaha Ave, as follows:

- a. Amendment and re-subordination of the City's Bond Regulatory Agreement.
- b. Amendment and re-subordination of the City's Affordable Housing Trust Fund (AHTF) loan, including an extension of the maturity date.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following report:

CD&RS & W&M - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Mississippi Watershed Management Organization (MWMO) for the City of Minneapolis to provide illicit discharge sampling activities in the Mississippi River for the MWMO in exchange for an amount up to \$6,000 per year through December 31, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following reports:

HE&CE - Your Committee recommends approval of substitute language for the Intellectual Property Provision found in the City's standard Professional Services Agreement form for a contract with 1 Way Entertainment, LLC for purchase of rights to a song produced for the City of Minneapolis for Youth Violence Prevention Week, as set forth in Petition No. 278465.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and TRANSPORTATION & PUBLIC WORKS Committees submitted the following report:

On behalf of the Health, Environment & Community Engagement Committee and the Transportation & Public Works Committees, Gordon offered Resolution 2015R-250 establishing recycling and composting goals for the City of Minneapolis.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-250

By Reich and Gordon

Establishing recycling and composting goals for the City of Minneapolis.

Whereas, the City of Minneapolis is committed to citywide economic opportunity, social equality, and environmental health for its residents and businesses; and

Whereas, the City of Minneapolis is committed to being a leader as one of the most sustainable cities in the United States by establishing mandatory multi-unit and commercial recycling ordinances in 1996 and 2011 respectively; and

Whereas, in 2014 the State of Minnesota established recycling and composting goals for metropolitan counties of 75 percent by weight of total solid waste generation by the end of 2030; and

Whereas, Minnesotans produce, on average, more than one ton of municipal solid waste per person per year, over five and a half tons annually, a substantial amount of which is placed into landfills or incinerated, resulting in wasted resources; and

Whereas, the City of Minneapolis provides integrated solid waste services to residents, such as one-sort recycling, recyclable bulky item collection, and organics recycling programs, that are designed to increase waste diversion; and

Whereas, in 2013 the City of Minneapolis adopted preliminary recycling and composting goals in its Climate Action Plan as a part of reducing citywide greenhouse gas emissions; and

Whereas, the City of Minneapolis acknowledges the challenges ahead and the need to collaborate with partners, including Hennepin County, the State of Minnesota, and other community and industry stakeholders; and

Whereas, Hennepin County has established programs to support commercial recycling and organics collection, household hazardous waste disposal, and reuse; and

Whereas, the City adopted an Environmental Purchasing Policy in 2008 and strives to maximize diversion from internal operations through waste reduction measures; and

Whereas, the City supports Extended Producer Responsibility for product design to ensure items can be recycled safely back into the marketplace; and

Whereas, the City of Minneapolis recognizes the difficulties in measuring progress in the commercial, industrial, and multi-unit sectors that are not serviced by Public Works and will work with the above partners and stakeholders to develop methods to track results; and

Whereas, the Zero Waste Policy Work Group, convened and chaired by the Mayor, with Council Members at her request, will continue to provide overall guidance on strategies and policy plans to move towards zero waste;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That in an effort to recognize waste as a resource and move toward zero waste, that the City of Minneapolis establishes a comprehensive citywide recycling and composting goal of 50% by 2020 and 80% by 2030, and achieve a zero percent growth rate in the total waste stream from 2010 levels.

Be It Further Resolved that in order to reach these goals, Solid Waste & Recycling and Sustainability staff are directed to work with the Mayor's office, City Council staff, and the Minneapolis Community Environmental Advisory Commission to organize meetings of community stakeholders representing a broad range of interests and perspectives on waste prevention, recycling, and composting.

Be It Further Resolved that a zero waste plan will be developed for City Council consideration in the spring of 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following reports:

HE&CE & W&M - Your Committee recommends acceptance of the single bid submitted on OP No. 8113 from Riverview Window, Inc., for an estimated total expenditure of \$2,100,000.00 over three years, to furnish and deliver lead reduction services; and authorizing the proper City officers to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 5 to Contract No. 28680 with Minnesota Remodeling and Restoration Company, increasing the contract by \$100,000, in order to fulfill the scope of lead hazard reduction and Healthy Homes services in a HUD grant agreement through July 31, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to execute a contract with the Center for Energy and Environment in an amount not to exceed \$50,000, from 01300-8600122, to provide Healthy Homes services through 2017 contingent upon funding and performance.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to accept estimated revenue in the amount of \$20,000 from Augustana Care Minneapolis in sponsorship for the Skyway Senior Center; and passage of Resolution 2015R-251 increasing the appropriation and revenue estimate for the Health Department by \$20,000.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-251
By Gordon and Quincy

Amending The 2015 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Fund (01600-8600112) by \$20,000 and increasing the revenue estimate (01600-8600112-Revenue Code 372001) by \$20,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

HE&CE & W&M - Your Committee recommends approval of the following funding, totaling \$182,000, for the 2015 One Minneapolis Fund Program and authorizing the Neighborhood and Community Relations Director to execute the necessary contracts with the organizations receiving the grants:

Somali Action Alliance Education Fund (SAAEF)	\$12,000
YouthCare	\$21,500
Appetite for Change	\$19,500
CAPIUSA	\$12,000
Centro de Trabajadores Unidos en la Lucha (CTUL)	\$19,500
St. Paul's Evangelical Lutheran Church AND In the Heart of the Beast Puppet and Mask Theater	\$19,500
Hope Community, Inc.	\$19,500
Little Earth of United Tribes	\$19,500
One Family One Community	\$19,500
The Neighborhood Hub	\$19,500.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

HE&CE & W&M - Your Committee, having under consideration a staff direction adopted by the City Council on December 10, 2014, directing the Neighborhood & Community Relations Department to provide guidelines for expenditures of the Consolidated Tax Increment Financing (TIF) fund for neighborhood revitalization purposes, and the Neighborhood and Community Relations Department, in response to said staff direction, having submitted the following recommendations:

- a) Staff recommends using Consolidated TIF funds for the next several years to support on-going operational costs of the Neighborhood and Community Relations (NCR) Department and existing program funding obligations as was determined in the 2015 budget process; and
- b) Staff is recommending no changes to the eligible uses until further work on Neighborhoods 2020 has been completed;

now recommends:

HE&CE - That said subject matter **be sent forward without recommendation** and referred to the Ways & Means Committee.

W&M - Received and filed.

The report was received and filed and no further action was taken.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:

On behalf of the Intergovernmental Relations Committee, Glidden offered Resolution 2015R-252 approving and ranking the 2016 Capital Budget requests and submitting requests to the Commissioner of Minnesota Management and Budget.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-252

By Glidden

Approving and ranking the 2016 Capital Budget requests and submitting requests to the Commissioner of Minnesota Management and Budget.

Resolved by The City Council of The City of Minneapolis:

That the following capital investment projects are submitted to the Minnesota Management and Budget office and that the projects are prioritized as follows:

1. 10th Avenue Bridge Rehabilitation
2. 35W North Storm Tunnel Preservation Project
3. Emergency Operations and Training Facility Expansion
4. Pioneers and Soldiers Cemetery Fence Restoration.

Be It Further Resolved that the City supports these bonding projects for the 2016 legislative session.

Be It Further Resolved that Minneapolis Intergovernmental Relations Department staff is directed to properly file these requests for funding with the Minnesota Management and Budget office.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following report:

PSCR&EM - Your Committee, having under consideration the submittal of a grant application to the Bureau of Justice Assistance seeking up to \$600,000 in funding, including a required matching component of up to the grant award, to provide funds to develop, implement, and evaluate a comprehensive program for body-worn cameras by selected Police Department personnel, and having been empowered by the City Council to determine the advisability of proceeding with the grant application submission by the June 16, 2015, deadline, subject to ratification by the full City Council, now recommends approval to submit said grant.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following report:

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to accept grant funds in the amount of \$4,500 from the Minnesota Justice Foundation for the Summer Clerkship Program. Further, passage of Resolution 2015R-253 appropriating said funds to the Civil Rights Department.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-253
By Yang and Quincy

Amending The 2015 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Civil Rights Department Agency in the Grants-Other Fund (01600-3000200) by \$4,500 and increasing the revenue estimate (01600-3000200-327001) by \$4,500.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends approval of the application submitted by the Minneapolis Institute of Arts for a Large Block Event Permit for their 100-Year Gala Celebration Block Event, to be held June 26 and 27, 2015, and to allow the block event to operate outside the time frame allowed under Minneapolis Code of Ordinances, Title 17, Chapter 455, relating to Streets and Sidewalks: Block Events.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-254 amending the Joint Powers Agreement for the creation of the Shingle Creek Watershed Management Commission, extending the term of the agreement to January 1, 2025, and ratifying the acts thereof.

JUNE 19, 2015

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-254

By Reich

Amending the Joint Powers Agreement for the creation of the Shingle Creek Watershed Management Commission and ratifying the acts thereof.

Resolved by The City Council of The City of Minneapolis:

Whereas, the City of Minneapolis (the "City") is party to a joint powers agreement entitled AMENDED JOINT AND COOPERATIVE AGREEMENT ESTABLISHING THE SHINGLE CREEK WATERSHED MANAGEMENT COMMISSION TO PLAN, CONTROL AND PROVIDE FOR THE DEVELOPMENT OF THE SHINGLE CREEK WATERSHED (the "Joint Powers Agreement"); and

Whereas, in 1984 the Joint Powers Agreement provided for the establishment of the Shingle Creek Watershed Management Commission (the "Commission"), a watershed management organization pursuant to and in accordance with the Metropolitan Surface Water Management Act, Minn. Stat. § 103B.201 et seq., and Minn. Stat. § 471.59; and

Whereas, the Joint Powers Agreement has been amended on a 10-year cycle since 1984; and

Whereas, the Joint Powers Agreement has expired by its terms on January 1, 2015; and

Whereas, the Commission has continued to act and exercise its powers and duties, notwithstanding the expiration of the Joint Powers Agreement; and

Whereas, it has been and is the intent of the City that the Commission continue to act as a watershed management organization for the Shingle Creek watershed and will continue to do so in the future; and

Whereas, the City has been presented with a proposed amendment to the Joint Powers Agreement, extending the term thereof to January 1, 2025 (the "Amendment"); and

Whereas, the City Council has determined that extending the term of the Joint Powers Agreement and the ratification of all acts of the Commission from January 1, 2015, to the effective date of the Amendment is reasonable, prudent, and in the best interest of the public;

Now, Therefore, Be It Resolved by The City Council of The City Of Minneapolis:

That the Amendment to the Joint Powers Agreement is approved and that the proper City officers are authorized and directed to execute and deliver a copy of the Amendment and a certified copy of this resolution to the Chair of the Commission.

Be It Further Resolved that all acts of the Commission from January 1, 2015, to the effective date of the Amendment to the Joint Powers Agreement are approved, confirmed, and ratified in all respects.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

T&PW - Your Committee recommends that the proper City officers be authorized to certify the application for reissuance of the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase I Permit to the City of Minneapolis and the Minneapolis Park & Recreation Board, as co-permittees.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW - Your Committee, having under consideration the staff recommendation that the concepts presented in DRAFT Preferred Long-Term Vision for the East Downtown Pedestrian Realm Augmentation Study dated April 3, 2015, be approved as the Preferred Long-Term Vision, now recommends that said subject matter **be sent forward without recommendation**.

On motion by Reich, the report was amended by deleting the language "that said subject matter be sent forward without recommendation" and inserting in lieu thereof:

"That staff be directed to continue the direction of responding to and incorporating the comments of interested stakeholders in the East Downtown Pedestrian Augmentation Study-Draft Vision to:

1. Review the need for dedicated parking lanes on the west side of 5th Avenue between 4th and 6th Streets, with input of adjacent property owners while considering the overall parking needs in this area.
2. Review opportunities to include bump outs on Chicago Avenue at 3rd Street and Washington Avenue, with consideration of information from the yet to be completed Travel Demand Management Plan for events at the Minnesota Multi-Purpose Stadium.
3. Review the need for dedicated parking lanes along both sides of 3rd Street, with consideration of information from the yet to be completed Travel Demand Management Plan for events at the Minnesota Multi-Purpose Stadium, proposed and future development, and input of adjacent property owners.
4. Review the need for a protected bike facility on 3rd Street, with consideration of information from the yet to be completed Travel Demand Management Plan for events at the Minnesota Multi-Purpose Stadium.
5. Review the need for dedicated parking lanes on the south side of 4th Street, in conjunction with plan development for the Commons, and with consideration of information from the yet to be completed Travel Demand Management Plan for events at the Minnesota Multi-Purpose Stadium.

Further, that the vision framework of the East Downtown Pedestrian Augmentation Study will continue to evolve with input from stakeholders and development partners through current and pending area studies and future project site plan reviews."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-255 ordering the work to proceed and adopting the special assessments for the Hennepin-Lyndale Corridor (Franklin Ave W to Dunwoody Blvd) Street Reconstruction Project, Special Improvement of Existing Street No. 6726.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-255

By Reich and Quincy

**HENNEPIN-LYNDALE CORRIDOR (FRANKLIN AVE W TO DUNWOODY BLVD)
STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 6726**

Ordering the work to proceed and adopting the special assessments for the Hennepin-Lyndale Corridor Street Reconstruction Project.

Whereas, a public hearing was held on June 9, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-096 passed February 27, 2015, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-096 passed February 27, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$336,321.57, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2017 real estate tax statements.

Be It Further Resolved that the number of installments by which all other special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2017 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-256 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$336,325 for certain purposes other than the purchase of public utilities.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-256
By Reich and Quincy

Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$336,325 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Hennepin-Lyndale Corridor Street Reconstruction Project, Special Improvement of Existing Street No. 6726, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee recommends adoption of a revised policy for setting the interest rate on public improvement special assessments by determining the interest rate to be applied to the special assessment at the beginning of each year at the same time the uniform assessment rate is determined by selecting an easily-identified bond market index and adding 200 basis points (2.0%) to the relevant rate associated with the number of years of the special assessment, as further set forth in Petition No. 278483.

Your Committee further recommends setting the 2015 public improvement special assessment rates as follows:

City of Minneapolis Assessment Rates for 2015		
For Use on 2015 Assessments Certified for 2016		
Assessment Term - Final Rates for Assessment Levies Certified in 2015 for 2016 Collections		
1 Year - 2.10	5 Year - 3.50	7 Year - 3.90
10 Year - 4.20	15 Year - 4.40	20 Year - 4.70.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

JUNE 19, 2015

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-257 amending Resolution 2015R-165 entitled "Designating the improvement of certain existing streets in the 2015 Street Resurfacing Program at the locations described hereinafter", adopted April 17, 2015, correcting the project location by deleting 4th Ave S and adding 5th Ave S to the list of streets to be improved relating to the Powderhorn West Residential Area Street Resurfacing Project, Special Improvement of Existing Street No. 5278.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-257
By Reich and Quincy

2015 STREET RESURFACING PROGRAM
POWDERHORN WEST RESIDENTIAL AREA STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5278

Amending Resolution 2015R-165 entitled "Designating the improvement of certain existing streets in the 2015 Street Resurfacing Program at the locations described hereinafter", adopted April 17, 2015.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows to correct the project location:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and including other street resurfacing related improvements as needed:

32nd, 33rd and 34th St E from 2nd Ave S to Chicago Ave;
3rd, ~~4th~~ 5th, Oakland and Columbus Ave S from Lake St to 36th St E; and
Clinton Ave S from Lake St to 34th St E and from 35th St E to 36th St E.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2015R-258 amending Resolution 2015R-239 entitled "Ordering the work to proceed and adopting the special assessments for the Powderhorn W Residential Street Resurfacing Project" adopted June 5, 2015, correcting the project location by deleting 4th Ave S and adding 5th Ave S to the list of streets to be improved, Special Improvement of Existing Street No. 5278.

JUNE 19, 2015

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-258

By Reich and Quincy

**2015 STREET RESURFACING PROGRAM
POWDERHORN W RESIDENTIAL STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5278**

Amending Resolution 2015R-239 entitled “Ordering the work to proceed and adopting the special assessments for the Powderhorn W Residential Street Resurfacing Project” adopted June 5, 2015.

That the above-entitled resolution be amended to read as follows to include references to an amendment to the project designation resolution:

Whereas, a public hearing was held on May 19, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-165, passed April 17, 2015, and as amended by Resolution 2015R-257, passed June 19, 2015, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-165, passed April 17, 2015, and as amended by Resolution 2015R-257, passed June 19, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$947,876.83 for the Powderhorn W Residential Street Resurfacing Project No. 5278 (Levy 01027, Project No. 52785) as on file in the office of the City Clerk are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee recommends authorizing the proper City officers to negotiate, enter into, and receive funds through a Cooperative Funding Agreement with the Metropolitan Council, Hennepin County, and the Minneapolis Park and Recreation Board for the West Lake Multimodal Transportation Study in an amount not to exceed \$300,000. The study will be funded through an equal contribution of \$75,000 by each party.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to enter into Amendment No. 3 to Contract No. C-28373 with Cale America, Inc. for the City's multi-space parking meter system as follows:

- a) Extending the termination date from June 30, 2015, to June 30, 2016;
- b) Modifying the price list for parts and services; and
- c) Increasing the maximum contract amount by \$650,000, for a revised contract total of \$8,150,000, to cover the extension's projected costs for operational expenditures.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to execute agreements with the following four selected artists for Nicollet Mall Public Art based on the City's public art selection criteria:

- a) Ned Kahn, California, Large Scale Iconic Artwork, \$500,000;
- b) Blessing Hancock, Arizona, Series of Suspended Lanterns, \$200,000;
- c) Tristan Al-Haddad, Georgia, Design a Key Feature, \$225,000; and
- d) Regina Flanagan, Minnesota, Working with the Design Team to Integrate Public Art into the Mall Design, \$75,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No. 8116 from Road Machinery and Supplies Company, for an estimated expenditure of \$167,812.00, to furnish and deliver an asphalt paving machine to the Public Works Fleet Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No. 8117 from Minger Construction Company, Inc., for an estimated expenditure of \$1,918,430.25, to furnish and deliver all labor, materials, and incidentals necessary for Hennepin/Lyndale sanitary sewer improvements. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/22/2015.

(Published 6/23/2015)

T&PW & W&M - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No. 8120 from Nelson Auto Center, Inc., for an estimated expenditure of \$271,562.00, to furnish and deliver aerial platform trucks to the Public Works Fleet Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

On behalf of the Ways & Means Committee, Quincy offered Ordinance 2015-Or-048 amending Appendix H, Chapter 1 of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises: Cable Television Franchise Agreement Between City of Minneapolis, Minnesota and Comcast of Arkansas/Florida/Louisiana/Minnesota/Mississippi/Tennessee, Inc., amending Comcast franchise provisions in accordance with the Franchise Settlement Agreement.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-048

By Quincy

Intro & 1st Reading: 6/5/2015

Ref to: Ways & Means

2nd Reading: 6/19/2015

Amending Appendix H, Chapter 1 of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises: Cable Television Franchise Agreement Between City Of Minneapolis, Minnesota And Comcast Of Arkansas/Florida/Louisiana/ Minnesota/Mississippi/Tennessee, Inc.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 2.1 of the above-entitled ordinance be amended to read as follows:

2.1. - General Provisions.

(a) *Compliance with Minnesota Statutes.* This Franchise shall comply with all provisions contained in Minnesota Statutes Chapter 238, as amended.

(b) *Conformance with State and Federal Laws and Rules.* The City and Grantee shall conform to state laws and rules regarding cable communications no later than one (1) year after they become effective, unless otherwise stated. The City and Grantee shall conform to federal laws and regulations regarding cable as they become effective.

(c) *Franchise Term.* This Franchise shall commence on the Effective Date and Terminate December 31, 2021. Any subsequent renewal term of the Franchise shall be limited to not more than fifteen (15) years each. The City shall approve this Franchise through the passage of an ordinance by the City Council and approval of the Mayor, which shall be published in accordance with applicable local and Minnesota law. Within thirty (30) days after enactment of the ordinance granting approval of the Franchise, Grantee shall signify its acceptance of this Franchise by executing a written acceptance of this Franchise. The Effective Date shall be the date of acceptance by Grantee.

(d) *Nonexclusive Franchise.* This Franchise shall be nonexclusive. The City may grant additional franchises consistent with Minnesota Statutes Section 238.08, subdivision 1(b) and 47 U.S.C. § 541.

(e) *Franchise Transfer.* No sale or transfer of the franchise or sale or transfer of stock so as to create a new controlling interest under Minnesota Statutes § 238.083 shall occur without the approval of the City, which will not be unreasonably withheld, conditioned that the sale or transfer is completed consistent with Minnesota Statutes § 238.083. If allowed under state and federal law, Grantee shall pay all of City's reasonable costs in reviewing and acting upon a transfer application. If the cable communications system is offered for sale, the parties shall comply with any lawful requirements of applicable law regarding the City's right to purchase the Cable System.

(f) *Audit.* The City shall have the right to audit the Grantee's accounting and financial records required to calculate the City's franchise fees upon reasonable notice; provided, however, that any such inspection shall take place within three (3) years from the date the City receives the payment, after which period any such payment shall be considered final. The Grantee shall file annual reports with the City detailing gross subscriber revenues and other information the City deems appropriate.

(g) *Public Inspection.* The Grantee shall make available for public inspection:

- (1) The length and terms of residential subscriber contracts;
- (2) The current subscriber charges; and
- (3) The procedure by which subscriber charges are established, unless such a provision is contrary to state or federal law.

(h) *Franchise Administration.* The City shall notify Grantee of the office or officer of the City responsible for the continuing administration of the Franchise.

(i) *Indemnification.* The Grantee shall indemnify, defend and hold harmless the City, its officers, boards, commissions, councils, elected officials, agents and employees (collectively the "Indemnitees") from and against any liability or claims resulting from property damage or bodily injury (including accidental death) that arise out of the Grantee's construction, operation, maintenance or removal of the Cable System, including, but not limited to, reasonable attorneys' fees and costs, provided that the City shall give the Grantee written notice of its obligation to indemnify and defend the City within thirty (30) calendar days of receipt of a claim or action pursuant to this section, or within fifteen (15) calendar days upon receipt of a lawsuit. If the City determines that it is necessary for it to employ separate counsel, the costs for such separate counsel shall be the responsibility of the City.

(1) The Grantee's obligation to indemnify Indemnitees under this Franchise Agreement shall extend to claims, losses, and other matters covered hereunder that are caused or contributed to by the negligence of one (1) or more Indemnitees. However, in such case the obligation to indemnify shall be reduced in proportion to the negligence of the Indemnitees. An example of such reduction is as follows:

a. Assume an incident occurs for which the Grantee is eighty-five (85) percent at fault and Indemnitees are fifteen (15) percent at fault. The total amount due and owing a third party from the resulting claim is one hundred thousand dollars (\$100,000). The Grantee's obligation to indemnify is eighty-five (85) percent of one hundred thousand dollars (\$100,000), or eighty-five thousand dollars (\$85,000).

(j) *Insurance.* The Grantee shall carry insurance, and provide to the City certificates of insurance designating the City and its officers, boards, commissions, councils, elected officials, agents and employees as additional insureds and demonstrating that the Grantee has obtained the insurance required in this section, to protect the Grantee and the City from and against any and all claims, demands, actions, judgments, costs, expenses, and liabilities which may arise or result, directly or indirectly, from or by reason of the loss, injury, claim, or damage, in the following amounts:

(1) Commercial General Liability insurance with limits of at least one million dollars (\$1,000,000) general aggregate, one million dollars (\$1,000,000) products - completed operations one million dollars (\$1,000,000) personal and advertising injury, fifty thousand (50,000) each occurrence fire damage and five thousand dollars (\$5,000) medical expense any one (1) person. The policy shall be on an "occurrence" basis, shall include Contractual liability coverage and the City shall be named an additional insured.

(2) Commercial Automobile Liability insurance covering all owned, non-owned and hired automobiles with limits of at least five hundred thousand dollars (\$500,000) per accident.

The Grantee shall also carry insurance to protect it from all claims under workers' compensation laws in effect that may be applicable to it in the following amounts:

Workers Compensation insurance that meets the statutory obligations with Coverage B-Employers Liability limits of at least one hundred thousand dollars (\$100,000) each accident, five hundred thousand dollars (\$500,000) disease - policy limit and one hundred thousand dollars (\$100,000) disease each employee. Insurance required must remain in effect for the entire term of the agreement. Insurance secured by the Grantee shall be issued by insurance companies rated A or better by A.M. Best Company and admitted in Minnesota. If Grantee self-insures, Grantee shall certify annually that it has met all of the State of Minnesota requirements for self-insuring.

Acceptance of the insurance by the City shall not relieve, limit or decrease the liability of the Grantee. Any policy deductibles or retention shall be the responsibility of the Grantee. The Grantee shall control any special or unusual hazards and be responsible for any damages that result from those hazards. The City does not represent that the insurance requirements are sufficient to protect the Grantee's interest or provide adequate coverage. Evidence of coverage is to be provided on an industry standard Insurance Certificate. A thirty (30) day written notice is required if the policy is canceled, not renewed or materially changed. The Grantee shall require any of its subcontractors to comply with these provisions.

(k) *Security.* The Grantee shall furnish a performance bond, letter of credit or security fund in the amount of five hundred thousand dollars (\$500,000) for compensation for damages resulting from the Grantee's nonperformance as specified in this Franchise.

(l) *No Relief from Liability.* Nothing in the Franchise shall be construed so as to relieve a person from liability arising out of the failure to exercise reasonable care to avoid injuring the Grantee's facilities while performing work connected with grading, regarding, or changing the line of a street or public place or with the construction or reconstruction of a sewer or water system.

(m) *Qualifications Reviewed.* The City considered and approved the Grantee's technical ability, financial condition and legal qualifications in a full public proceeding that afforded reasonable notice and a reasonable opportunity to be heard.

(n) *Reserved.*

(o) *Permits.* Pursuant to applicable local law, the Grantee shall obtain a permit from the proper municipal authority before commencing construction on its cable communications system, including the opening or disturbance of a street, sidewalk, driveway, or public place. In the event that Grantee fails to meet the conditions of such a permit, the City may seek remedies under this Franchise Agreement.

(p) *Compliance with Code.* Wires, conduits, cable and other property and facilities of the Grantee shall be located, constructed, installed and maintained in compliance with applicable local laws. The Grantee must keep and maintain its property so as not to unnecessarily interfere with the usual and customary trade, traffic, or travel upon the streets and public places of the franchise area or endanger the life or property of any person.

(q) *Removal and Relocation.* Unless otherwise provided for by local law, the City and the Grantee shall establish a procedure in the franchise for the relocation or removal of the franchisee's wires, conduits, cables, and other property located in the street, right-of-way, or public place whenever the City undertakes public improvements that affect the cable equipment except that the City may not discriminate among telecommunication rights-of-way users. Grantee shall be entitled to reimbursement of its relocation costs if made available to other users of the right-of-way for that project or projects.

(r) *Compliance with FCC Technical Standards.* The Grantee shall comply at a minimum with the technical standards promulgated by the Federal Communications Commission relating to cable communications systems contained in subpart K of part 76 of the Federal Communications Commission's rules and regulations relating to cable communications systems and found in Code of Federal Regulations, Title 47, Sections 76.601 to 76.617, as amended from time to time. The results of tests required by the Federal Communications Commission will be available for onsite review by the City within ten (10) days of filing such tests with the FCC.

(s) *Cost of Special Testing.* The City may require special testing of a location or locations within the System if there is a particular matter of unresolved complaints regarding System construction, operations, signal quality, or installation work pertaining to such location(s). Such tests shall be limited to the particular matter in controversy. The City shall endeavor to so arrange its request for such special testing so as to minimize hardship or inconvenience to the Grantee or to the Subscribers of such testing.

Before ordering such test, Grantee shall be afforded thirty (30) days following receipt of written notice to investigate and, if necessary, correct problems or complaints upon which tests were ordered. The Grantee and City shall determine who is to bear the costs of required special testing.

(t) *Subscriber Privacy.* No signals of a cable communications channel may be transmitted from a subscriber terminal for purposes of monitoring individual viewing patterns or practices without the express written permission of the subscriber. The request for permission must be contained in a separate document with a prominent statement that the subscriber is authorizing the permission in full knowledge of its provisions. The written permission must be for a limited period of time not to exceed one (1) year, which is renewable at the option of the subscriber. No penalty may be invoked for a subscriber's failure to provide or renew the authorization. The authorization is revocable at any time by the subscriber without penalty of any kind. Grantee shall further comply with 47 U.S.C. § 551, which is incorporated herein by reference.

(1) No information or data obtained by monitoring transmission of a signal from a subscriber terminal, including but not limited to lists of the names and addresses of the subscribers or lists that identify the viewing habits of subscribers, may be sold or otherwise made available to any person other than to the company and its employees for internal business use, or to the subscriber who is the subject of that information, unless the company has received specific written authorization from the subscriber to make the data available or unless said information is ordered by a court or subpoenaed;

(2) Written permission from the subscriber must not be required for the systems conducting system wide or individually addressed electronic sweeps for the purpose of verifying system integrity or monitoring for the purpose of billing. Confidentiality of this information is subject to clause (t)(1); and

(3) For purposes of this provision, a "cable communications channel" means a signaling path provided by a cable communications system to transmit signals of any type from a subscriber terminal to another point in the communications system.

(u) *Complaint Resolution Procedure.* See Section 3.

(v) *Receipt of Complaints.* See Section 3. Also, Grantee shall immediately provide a consumer complaint telephone number at the City to subscribers that asks for a consumer complaint number.

(w) *Franchise Termination.* The City has the right to terminate and cancel the franchise and the rights and privileges of the franchise if the Grantee substantially violates a provision of the franchise ordinance or agreement, attempts to evade the provisions of the franchise ordinance or agreement, or practices fraud or deceit upon the City. The City shall provide the Grantee with a written notice of the cause for termination and its intention to terminate the Franchise and shall allow the Grantee a minimum of thirty (30) days after service of the notice in which to correct the violation. The Grantee must be provided with an opportunity to be heard at a public hearing before the governing body of the City before the termination of the franchise.

(x) *Abandonment.* No person operating a cable communications system, notwithstanding any provision in a franchise, may abandon a cable communications system or a portion of it without having given three (3) months prior written notice to the franchising authority. No person operating a cable communications system may abandon a cable communications system or a portion of it without compensating the City for damages resulting to it from the abandonment.

(y) *Removal of Facilities.* Upon termination or forfeiture of the Franchise, unless otherwise required by applicable law, the Grantee shall remove its cable, wires, and appliances from the streets, alleys, and other public places within the franchise area if the City so requests. In the event the Grantee fails to remove its cable, wires, and appliances from the streets, alleys, and other public places within the franchise area, the Grantee will be subject to the procedures of applicable local law.

(z) *Access Channels.* The Grantee shall provide nine (9) channels to be used for Public, Educational or Government programming.

(1) Grantee shall provide video-on-demand ("VOD") PEG access with (1) up to 10 hours of standard definition programming capacity, or (2) up to 2 hours of high definition programming capacity and 5 hours of standard definition programming capacity. The City or its designated PEG Access Programmer shall have sole discretion as to the selection of VOD content. The City or the designated PEG Access Programmer shall be responsible for uploading PEG content to the VOD FTP server pursuant to the procedures required by Franchisee's VOD system and in the required format, and shall be responsible for entering all necessary information for populating the VOD menu system. Grantee shall determine the placement of PEG VOD programming within the VOD menu system, typically under a "Local" menu with other local VOD content. The City will have its own VOD folder under the service menu. Grantee shall use reasonable efforts to promote the PEG VOD, which could include bill messages or inserts, and/or email and social media marketing.

Twenty-four months after the City commences utilizing PEG VOD capacity, upon the City's request Franchisee will review the available PEG VOD viewership statistics for the prior six months with the City. If for the prior six months the City's PEG VOD programs attain an average viewership of 1000 views per month, the City may request (1) an additional 10 hours of standard definition PEG VOD programming, or (2) and additional 2 hours of high definition PEG VOD programming capacity (a total of 4 hours of HD programming) and an additional 5 hours of standard definition PEG VOD programming capacity (a total of 10 hours of SD programming). "Views" means a user watched at least half of the available program.

(2) a. Upon 90 days' notice, Grantee will carry one of the existing standard definition (SD) PEG channels in high definition (HD) format on the cable system such that the City will have 9 PEG Channels, 8 SD and 1 HD PEG channels. The City represents that it has or will have available by that date sufficient local, non-character generated programming in HD format so as to provide content of value to viewers and not have a blank channel. Any time after twelve months from the date of this Agreement, Grantee upon request will carry an additional PEG channel in HD in the same manner as the first HD channel, such that the City will continue to have 9 PEG Channels; 7 carried in SD and 2 carried in HD. Any time after thirty-six months from the date of this Agreement, Grantee upon request will carry one additional PEG channel in HD in the same manner as the first HD channel, such that the City will continue to have 9 PEG Channels; 6 carried in SD and 3 carried in HD. Grantee may choose to simulcast all of the SD PEG Channels in HD.

b. Grantee will deliver the high definition signal to subscribers so that it is viewable without degradation, provided that it is not required to deliver an HD PEG Channel at a resolution higher than the highest resolution used in connection with the delivery of local broadcast signals to the public. Grantee may implement HD carriage of the PEG channel in any manner (including selection of compression, utilization of IP, amount of system capacity or bandwidth, and other processing characteristics) that produces a signal as accessible, functional, useable and of a quality comparable (meaning indistinguishable to the viewer) to broadcast HD channels carried on the cable system.

c. The HD PEG channel will be assigned a number near the other high definition local broadcast stations if such channel positions are not already taken, or if that is not possible, near high definition news/public affairs programming channels if such channel positions are not already taken, or if not possible, as reasonably close as available channel numbering will allow.

d. City acknowledges that HD programming may require the viewer to have special viewer equipment (such as an HDTV and an HD-capable digital device/receiver), but any subscriber who can view an HD signal delivered via the cable system at a receiver shall also be able to view the HD PEG channels at that receiver, without additional charges or equipment. By agreeing to make PEG available in HD format, Grantee is not agreeing it may be required to provide free HD equipment to customers including complimentary municipal and educational accounts and universal service accounts, nor modify its equipment or pricing policies in any manner. City acknowledges that not every customer may be able to view HD PEG programming (for example, because they don't have an HDTV in their home or have chosen not to take an HD capable receiving device from Grantee or other equipment provider) or on every TV in the home.

e. Grantee will provide a bill message announcing the launch of each HD PEG channel; however City acknowledges that not all customers may receive the bill message notice in advance of the channel launch in the interests of launching the channel sooner.

f. Grantee will make available to the City the ability to place PEG channel programming information on the interactive channel guide by putting the City in contact with the electronic program[m]ing guide vendor ("EPG provider") that provides the guide service. Grantee will be responsible for providing the designations and instructions necessary to ensure the channels will appear on the programming guide throughout the City and any necessary headend costs associated therewith. The City shall be responsible for providing programming information to the EPG provider. Grantee shall pay any costs the EPG provider charges to programmers who participate in its service.

g. Grantee will continue to provide, at no cost to the City, air time on non-PEG channels during periods in which ample unsold/unused air time on such channels exists, in a manner consistent with past informal practice, for City public service announcements (PSAs). The City will provide a 30-second PSA prior to the start of each month on a mutually agreed-upon schedule.

h. In the event Grantee makes any change in the Cable System and related equipment and facilities or in its signal delivery technology, which requires the City to obtain new equipment in order to be compatible with such change for purposes of transport and delivery of the Access Channels to the Grantee's headend, Grantee shall, at its own expense and free of charge to the City or its designated entities, purchase such equipment as may be necessary to facilitate the cablecasting of the Access Channels in accordance with the requirements of the Franchise.

i. Grantee shall provide, at no cost to the City, a technically reliable upstream and downstream path for transmission of certain public Access Channels, which will in no way degrade the technical quality of the public Access Channels, from the Minneapolis Telecommunications Network, 1620 Central Avenue NE, Suite 175, Minneapolis, MN 55413.

(3) For purposes of this Franchise, the term channel shall be as commonly understood and is not any specific bandwidth amount.

(4) Neither the Grantee nor the officers, directors, or employees of the Grantee is liable for any penalties or damages arising from programming content not originating from or produced by the Grantee and shown on any public access channel, education access channel, government access channel, leased access channel, or regional channel.

(5) The franchisee shall provide to each of its subscribers who receive Cable Service offered on the system, reception on at least one specially designated access channel.

(aa) *PEG Support.*

(1) The PEG fee, payable quarterly, shall be:

a. \$0.50/subscriber/month from January 2008 to the year end 2011, provided however that if Grantee's cable TV penetration meets or exceeds forty-five (45) percent of the serviceable dwelling units passed by the cable communications system during this time period the PEG fee shall immediately increase to \$1.00/subscriber/month;

b. \$1.00/subscriber/month from January 2012 to year end 2015~~4~~; and

c. ~~\$1.10/subscriber/month from January 2016 until the Franchise renews, provided however that if Grantee's cable service penetration meets or exceeds fifty (50) percent of serviceable dwelling units passed by the cable communications system during this time period the PEG fee shall immediately increase to \$1.25/subscriber/month.~~ \$1.50/subscriber/month from January 2015 until the franchise renews. Starting with the 2016 calendar year, the City may elect to increase this fee based on the Consumer Price Index. Any such election must be made in writing to the Franchisee no later than September 1st prior to the year in which the increase shall apply. In no event shall the fee exceed \$1.75.

~~(2) These fees shall be further adjusted annually to reflect changes in the Consumer Price Index commencing on January 1, 2009, with the intent to initially adjust the fees to reflect prices benchmarked at 2007 dollars.~~

~~(3 2)~~ If any laws, rules, regulations or government authorizations would allow a provider of multi-channel video programming or equivalent in the City's Rights-of-Way to provide multi-channel video programming or equivalent under less burdensome regulations or regulatory structure than Grantee is operating under, the obligations of this section shall be modified to reflect such changes. Provided, however, that Grantee agrees not to exercise its rights under this section prior to January 2012.

(bb) *Regional Channel 6.* The VHF Channel 6 is designated for uniform regional channel usage as required in Minnesota Statutes § 238.02, subdivision 31(c), and Minnesota Statutes § 238.43.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Victor Junior Burks v. City of Minneapolis and Christopher Carlson (Court File No.: 27-CV-14-14805) and the Metropolitan Council Worker's Compensation Lien by payment of \$23,750 payable to Victor Junior Burks and his attorneys at Schwebel, Geotz and Sieben, P.A.; payment of \$7,000 to the Metropolitan Council from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of this Worker's Compensation claim in the matter of Susan Burchill v. City of Minneapolis (Court File No.: 10100717) by payment of \$85,000 payable to Susan Burchill and her attorneys, Brabbit & Salita, from Fund/Org. 06900-1500100-145890. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Eric Hullett v. Tyler Edwards, et al. (Court File No.: 13-CV-02915 (SRN/BRT)) by payment of \$17,500 payable to Eric Hullett and his attorney Edwin Goss, from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Ronald Huebner v. City of Minneapolis, et al. (Court File No.: 13-CV-01222 (DWF/HB)) by payment of \$15,000 payable to Ronald Huebner and his attorney, Charlie Alden, from Fund/Org. 06900-1500100-145630. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Joshelle Sims v. City of Minneapolis, et al. (Court File No.: 13-CV-2816 (ADM/BRT)) by payment of \$11,000 payable to Joshelle Sims and her attorney Stephen L. Smith, Esq., from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Alan J. Morrison v. City of Minneapolis (Court File No.: 27-CO-15-2273) by payment of \$2,870 payable to Alan J. Morrison from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of the legal settlement in the matter of Sherrod W. Roy v. City of Minneapolis and Christopher D. Tucker by payment of \$17,000 payable to Sherrod W. Roy and his attorneys, Fishman, Carp, Bescheinen & Van Berkom, from Fund/Org. 06900-1500100-145400. Further, that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends acceptance of the low bid submitted on OP No. 8110 from Suburban Elevator, for an estimated expenditure of \$775,295.50, to furnish and deliver all labor, materials and incidentals for Target Center Elevator Modernization. Further, that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends acceptance of the low bid submitted on OP No. 8109 from Hockenbergs/Grand Foodservice Equipment, Inc., in the amount of \$273,386 to furnish and deliver all labor, materials, and incidentals for Target Center Walk-In Coolers. Further, that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends acceptance of the low bid submitted on OP No. 8094 from Julius B. Nelson and Son, Inc. in the amount of \$749,950 to furnish and deliver all labor, materials, and incidentals for Minneapolis Convention Center Public Space Painting Project. Further, that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officers be authorized to increase contract C-37525 with Twin Cities Acoustics (OP No. 7844) by the amount of \$358.09 resulting from the following submitted change orders for a new total amount of \$8,213.09 to allow for close-out and final payment related to the Target Center Catering Kitchen Renovation and Repair:

- a. Change Order No. 2 - (-\$1,188) to use owner provided attic stock for tile install.
- b. Change Order No. 9 - \$510 to add ceiling to cooler area with axial trim as needed.
- c. Change Order No. 10 - \$1,036.09 to repair ceiling at smoke hood and lower dish area ceiling.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officers be authorized to increase contract C-37506 with Elliot Contracting (OP No. 7844) by the amount of \$665 resulting from the following submitted change orders for a new total amount of \$48,810 to allow for close-out and final payment related to the Target Center Catering Kitchen Renovation and Repair:

- a. Change Order No. 9 - \$400 to install provided light fixture, outlet and data jack at cooler.
- b. Change Order No. 12 - \$4,010 to modify prep table and dishwasher.
- c. Change Order No. 13 - \$2,205 to further modify dishwasher and booster heater install.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officers be authorized to increase contract C-37564 with Northern Air Corporation (OP No. 7844) by the amount of \$2,302.04 resulting from the following submitted change orders for a new total amount of \$104,652.04 to allow for close-out and final payment related to the Target Center Catering Kitchen Renovation and Repair:

- a. Change Order No. 1 - \$4,217 code venting and gas pipe modifications
- b. Change Order No. 5 - \$1,182 trench drain modifications per inspector
- c. Change Order No. 6 - \$1,438 exhaust collar at dish hood
- d. Change Order No. 11 - \$465.04 cover at cooler area per code

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officers be authorized to increase contract C-37531 with Meisinger Construction (OP No. 7844) by the amount of \$358 resulting from the following submitted change orders for a new total amount of \$60,108 to allow for close-out and final payment related to the Target Center Catering Kitchen Renovation and Repair:

- a. Change Order No. 3 - \$572 to provide new doors at south entrance instead of reuse.
- b. Change Order No. 4 - \$2,309 to remove moldy insulation and drywall and replace with new.
- c. Change Order No. 6 - \$3,377 to provide 2 new doors at east entrance instead of reuse.

- d. Change Order No. 7 - \$2,239 to add waterproofing and replace tile at floor drains per inspector directive.
- e. Change Order No. 9 - \$5,411 to tile cooler area and fix moisture problem at grill; add FRP to all walls.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officials execute an agreement to accept funds in the amount of \$4,590 from Hennepin County for the development of public artworks for Walker Library.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officials execute a master service agreement with each of the 2 successful firms for the City of Minneapolis pool of Qualified Art Conservators, for the period of three years from August 1, 2015 to August 1, 2018, with the option of a two year renewal.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/23/2015)

W&M - Your Committee recommends that the proper City officials be authorized to implement investment policy and strategy revisions as directed by March 2015 City Council divestment resolution.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to initiate legal proceedings with the consent of the Office of the City Attorney to collect subrogation claims for damages to City property in an amount not to exceed \$45,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to extend the 2014 Alpha Review Corporation Contract for administration fees related to medical review billing services for 2 months to April 30, 2015, with the same fee structure and scope of services.; and authorize \$71,000 to cover fees for this period; and authorize \$71,000 to cover fees for this period.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-259 authorizing certain actions (executing a settlement agreement with the Internal Revenue Service) with respect to Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2006-1A (Tax Exempt).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-259

By Quincy

Authorizing certain actions with respect to Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2006-1A (Tax Exempt).

Whereas, the City of Minneapolis (the "City") issued its Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2006-1A (Tax Exempt), on June 28, 2006 in the amount of \$5,390,000 (the "Bonds"). The City used the proceeds of the Bonds to acquire a manufacturing facility located at 1400 Washington Avenue North in the City (the "Bond-Financed Facility"). The City leases the Bond-Financed Facility to Edbar Family Limited Partnership, a Minnesota limited partnership, and Ambassador Press, Inc., a Minnesota corporation (collectively, the "Borrower"), pursuant to a Lease Agreement whereby the Borrower pays rent in amounts sufficient to pay all debt service on the Bonds and other costs of the City; and

Whereas, in order for the interest on the Bonds to continue to be tax-exempt to the holders of such Bonds, Section 144(a)(4)(A)(ii) of the Internal Revenue Code of 1986, as amended requires that the sum of the principal amount of the Bonds and the capital expenditures of the Borrower during the period of time commencing three years prior to the date of issuance of the Bonds and ending three years after the date of issuance of the Bonds cannot exceed \$10,000,000; and

Whereas, the Internal Revenue Service (the "IRS") commenced an examination of the Bonds and subsequently provided the City and the Borrower with Form 5701-TEB "Notice of Proposed Issue" stating

that it believes the interest on the Bonds is not tax exempt because the Borrower exceeded the \$10,000,000 limitation described above; and

Whereas, after several settlement offers were rejected by the IRS, the City and the Borrower have proposed to offer a settlement in the amount of \$135,000 (the "Settlement") to the IRS in order to close the examination and allow the Bonds to remain outstanding and continue to accrue interest on a tax-exempt basis and the IRS has tentatively agreed to such Settlement if the Settlement can be finalized quickly; and

Whereas, the Borrower has agreed to pay \$50,000 of the settlement offer but has informed the City that it cannot provide the \$50,000 to the City until September 1, 2015; and

Whereas, the City has proposed to loan the \$50,000 to the Borrower in order to complete the Settlement in a timely fashion; and

Whereas, a form of Loan Agreement (the "Loan Agreement") proposed to be entered into between the City and the Borrower has been presented to the City Council pursuant to which the City will agree to provide the full amount of the Settlement, the City will loan the Borrower's share of the Settlement in the amount of \$50,000 to the Borrower (the "Loan"), and the Borrower will agree to repay the Loan to the City on or before September 1, 2015; and

Whereas, the Loan Agreement provides that the Loan to the Borrower will not accrue interest if it is repaid by September 1, 2015 but shall accrue interest at the rate of three percent (3.0%) per annum, commencing with the date the Settlement is paid to the IRS, if the Loan is not repaid by September 1, 2015; and

Whereas, to secure the Borrower's obligations under the Loan Agreement, the Borrower will execute and deliver a Promissory Note (the "Note") to the City, and Edbar Family Limited Partnership will execute and deliver a Mortgage (the Mortgage") to the City which creates a lien on the property upon which the Bond-Financed Facility is located;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. The Settlement in the amount of \$135,000 to the IRS is hereby approved and shall be paid from the City's Common Bond Reserve Fund.
2. The Finance Officer is hereby authorized to negotiate, finalize, execute and deliver the settlement agreement between the City and the IRS, and any other document deemed necessary to finalize the Settlement with the IRS.
3. The Loan to the Borrower in the amount of \$50,000 is hereby approved. Upon repayment in full of the Loan by the Borrower, the principal of, and interest, if any, shall be deposited to the City's Common Bond Reserve Fund.
4. The Loan Agreement, the Note, and the Mortgage in substantially the forms now on file with the City are hereby approved. The Finance Officer or his designee is hereby authorized to execute and deliver the Loan Agreement, and any other document deemed necessary to carry out the intentions of this resolution, on behalf of the City. The Loan Agreement shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution and delivery thereof by the Finance Officer or his designee shall be conclusive evidence of such determination.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-260 amending the 2015 General Appropriation Resolution relating to authorizing certain actions (executing a settlement agreement with the Internal Revenue Service) with respect to Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2006-1A (Tax Exempt).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-260
By Quincy

Amending The 2015 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning & Economic Development Agency in the Common Bond Fund by \$135,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to execute a five-year license agreement with Metropolitan Council as permitted under the City of Minneapolis Voluntary Employees' MetroPass Program.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to amend contract C-39200 with OneNeck IT Solutions LLC to include professional service for implementation of the ServiceNow service desk functions, not requiring any monetary increase to the contract nor additional funding.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to:

- a. Extend the existing N. Harris Contract relating to the Govern System Computer Assisted Appraisal and Land Management System, contract C00-15921, for three additional years through December 31, 2018.
- b. Update the City's General Terms and Conditions to reflect current standards.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

W&M - Your Committee recommends approval of revisions to the Appointed Officials Compensation Plan as follows:

- a. Approving a general wage adjustment of 2.2% effective January 1, 2015.
- b. Adopting an eight-step salary structure for all positions within the Appointed Officials Compensation Plan effective January 1, 2015.
- c. Approving a January 1, 2015, transition of current employees to the corresponding step on the new schedule.
- d. Authorizing annual step movement from the date of job entry, and promotions provided satisfactory or better job performance.
- e. Directing staff to prepare a document for the administration and maintenance of the new compensation plan, including administrative mechanisms to maintain market competitiveness and internal equity.
- f. Directing staff to implement the necessary corrections to restore external market competitiveness as established and approved by the previously adopted Appointed Officials Compensation Plan maintenance policy, with the exception of the Internal Auditor position, as follows: 3% increase effective July 1, 2015, and 3% increase effective December 31, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-261 approving the terms of a collective bargaining agreement with the Minnesota Teamsters Public and Law Enforcement Employees Union, Local No. 320, and authorizing execution and implementation of said agreement.

JUNE 19, 2015

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-261

By Quincy

Approving the terms of a collective bargaining agreement with the Minnesota Teamsters Public and Law Enforcement Employees Union, Local No. 320, and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and Minnesota Teamsters Public and Law Enforcement Employees Union, Local No. 320, for the three-year period effective January 1, 2015, through December 31, 2017, be approved (Petition No. 278506).

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-262 approving the terms of a collective bargaining agreement with the International Union of Operating Engineers, Local 49, and authorizing execution and implementation of said agreement.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-262

By Quincy

Approving the terms of a collective bargaining agreement with the International Union of Operating Engineers, Local 49, and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and International Union of Operating Engineers, Local 49, for the three-year period effective January 1, 2015, through December 31, 2017, be approved (Petition No. 278507).

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends that the proper City officials be authorized to negotiate for the possible acquisition of 1860 28th St E and 2717 Longfellow Ave, commonly referred to as the "Roof Depot" properties, for the expansion of the City's Hiawatha Campus.

On motion by Quincy, Council Rule VIII, Section 2D was waived to allow the acceptance of comments from State Representative Karen Clark.

Cano offered the following substitute report:

W&M - Your Committee recommends that the proper City officials be authorized to negotiate for the possible acquisition of 1860 28th St E and 2717 Longfellow Ave, commonly referred to as the "Roof Depot" properties, for the expansion of the City's Hiawatha Campus water distribution maintenance facilities and water meter operations; and directing Property Services, Public Works, and CPED Staff to work with East Phillips residents and community members to identify potential redevelopment or leasing scenarios for the portion of the property not required for the aforementioned functions.

Reich moved to amend the Cano substitute to read as follows:

W&M - Your Committee recommends that the proper City officials be authorized to negotiate for the possible acquisition of 1860 28th St E and 2717 Longfellow Ave, commonly referred to as the "Roof Depot" properties; and Directing Property Services to work with East Phillips residents and community members to identify potential redevelopment or leasing scenarios for the portion of the property not required for municipal operations should the acquisition of 1860 28th Street East and 2717 Longfellow Avenue, commonly referred to as the "Roof Depot" properties, be secured.

Reich's motion carried on a voice vote.

Cano moved to reconsider the pending question, and it failed on a voice vote.

The pending question on the substitute report, as amended, being called, the result was:

Ayes: Reich, Frey, Yang, Warsame, Goodman, Glidden, Bender, Quincy, Palmisano, President Johnson (10)

Noes: Gordon, Cano, A. Johnson (3)

The substitute report, as amended, was adopted.

The WAYS & MEANS and ZONING & PLANNING Committees submitted the following report:

W&M and Z&P - Your Committee recommends acceptance of the low bid submitted on OP No. 8107 from Blackstone Contractors, LLC, in the amount of \$105,878 to furnish and deliver all labor, materials, and incidentals to complete the Powderhorn Park Art Restoration Project. Further, that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 6/23/2015.

(Published 6/25/2015)

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration an application submitted by Tanek Architecture Design, on behalf of Java Companies, to vacate that part of the alley as shown on the plat of Rearrangement of Block 11, St. Anthony Falls Addition, bounded by Lots 1, 2, and 3, and by Central Ave (Vac-1641), now recommends, notwithstanding staff recommendation, that said vacation be denied.

Your Committee further recommends that the Findings of Fact and Recommendation prepared by the City Attorney and on file in the Office of the City Clerk be adopted and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Frey, Yang, Warsame, Quincy, A. Johnson, Palmisano, President Johnson (8)

Noes: Gordon, Goodman, Glidden, Cano, Bender, (5)

The report was adopted.

Z&P – Your Committee concurs in the recommendation of the Heritage Preservation Commission that the North Side Station located at 2418 Washington Ave N be designated as a local landmark, and that the findings and designation study be adopted.

Your Committee further recommends passage of Resolution 2015R-263 designating the North Side Station as a local landmark.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-263

By Bender

Designating the North Side Station at 2418 Washington Avenue North as a Landmark.

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on May 19, 2015, and recommended to the Standing Committee on Zoning and Planning that the North Side Station building at 2418 Washington Avenue North be designated as a Landmark; and

Whereas, the recommended local designation of the North Side Station will include the entire exterior of the building (constructed in 1914) identified in the designation study; and

Whereas, the North Side Station meets Heritage Preservation Regulations significance criterion #1 (the property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); and criterion #2 (the property is associated with the lives of significant persons or groups); and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on April 2, 2015; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated April 21, 2015; and

Whereas, on June 11, 2015, the Standing Committee on Zoning and Planning recommends designation as a Landmark;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the North Side Station is hereby designated as a Landmark.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

Z&P – Your Committee to whom was referred an ordinance amending Title 20, Chapter 535, of the Minneapolis Code of Ordinances relating to Zoning Code, Regulations of General Applicability, revising the regulations for telecommunications towers, antennas, and base units in the public right-of-way, now concurs in the recommendation of the Planning Commission that the related Findings be adopted and that Ordinance 2015-Or-049 be given its second reading for amendment and passage.

Further, Your Committee recommends returning Chapters 520, 525, 531, and 551 to the author.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-049
By Reich
Intro & 1st Reading: 3/20/2015
Ref to: Z&P
2nd Reading: 6/19/2015

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 535.480 of the above-entitled ordinance be amended to read as follows:

535.480. - Definitions. As used in this article, the following words shall mean:

Base unit. An unstaffed single story structure or weatherproofed cabinet used to house radio frequency transmitters, receivers, power amplifiers, signal processing hardware and related equipment.

Communication antenna. A device intended for receiving or transmitting television, radio, digital, microwave, cellular, personal communication service (PCS), paging or similar forms of wireless electronic communication, including but not limited to directional antennas such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whip antennas.

Communication antenna, façade mounted. A communication antenna mounted on the façade of a structure such as a building, water tower, clock tower, steeple, stack, ~~or existing light pole,~~ traffic signal davit or communication tower.

~~*Public safety communication system.* A communication system owned or operated by a governmental entity such as a law enforcement agency, public works department, municipal transit authority or medical facility.~~

Communication tower or antenna, rooftop mounted. A communication tower or antenna located on the roof of a structure such as a building, water tower, clock tower, penthouse or similar structure.

Communication tower. Any pole, spire, structure or combination thereof, including supporting lines, cables, wires, braces and mast, designed and constructed primarily for the purpose of supporting one (1) or more antennas, including self supporting lattice towers, guyed towers or monopole towers. A communication tower may include, but not be limited to, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers and personal communication service towers.

Communication tower, monopole. A communication tower consisting of a single pole, constructed without guyed wires and anchors.

Communication tower and antenna height. The height of a freestanding communication tower and antenna shall be measured as the distance from ground level to the highest point on the tower, including the antenna. The height of a rooftop communication antenna shall be measured as the distance from the point where the base of the tower and antenna is attached to the roof, to the highest point on the supporting structure, including the antenna.

Institutional use. Educational facilities, parks, cemeteries, golf courses, sport arenas, religious institutions, athletic fields and publicly owned property.

Publicly owned property. Land, buildings or structures owned by any governmental body or public agency including city, county, state or federally owned properties, other than public rights-of-way.

Public safety communication system. A communication system owned or operated by a governmental entity such as a law enforcement agency, public works department, municipal transit authority or medical facility.

Transmission equipment. Any equipment that facilitates transmission for wireless communication, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply.

Section 2. That Section 535.490 of the above-entitled ordinance be amended to read as follows:

535.490. - Permitted uses exempt from administrative review and approval. Notwithstanding any other provisions to the contrary, communication towers and antennas designed for private reception of television and radio signals, used for amateur or recreational purposes, and façade mounted communication antennas attached to existing city-owned light poles and traffic signal davits in public rights of way, shall be permitted in all districts, provided such antennas and towers comply with the standards of section 535.540, Chapter 451 of the Minneapolis Code of Ordinances, and the following:

- (1) Notwithstanding the height limitations of the zoning district, freestanding towers and antennas shall not exceed thirty-five (35) feet in height and rooftop mounted antennas shall not exceed fifteen (15) feet in height.
- (2) Antennas shall not exceed one (1) meter in diameter in the residence and office residence districts and two (2) meters in diameter in all other districts.
- (3) Towers and antennas shall not be located in any required front, side or rear yard, nor shall they be located between a principal building and a required front or side yard.
- (4) Only one (1) freestanding tower and antenna shall be allowed per residential zoning lot.

Section 3. That Section 535.520 of the above-entitled ordinance be amended to read as follows:

535.520. - Conditional uses. (a) *In general.* The following communication towers, antennas and base units may be allowed as a conditional use, subject to the provisions of Chapter 525, Administration and Enforcement, and sections 535.530 and 535.540

- (1) Freestanding communication towers and antennas, including antennas mounted on light poles and similar structures ~~that are not façade mounted~~, provided that towers and antennas located in the residence and office residence districts shall be located on institutional use sites of not less than twenty thousand (20,000) square feet. Freestanding communication towers and antennas shall be prohibited in the downtown area bounded by the Mississippi River, I-35W, I-94, and I-394/Third Avenue North (extended to the river) except that antennas may be mounted to light poles existing on the effective date of this ordinance.
- (2) Rooftop mounted communication towers and antennas exceeding fifteen (15) feet in height.
- (3) Communication towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes which exceed thirty-five (35) feet in height if freestanding or fifteen (15) feet in height if rooftop mounted, or antennas which exceed one (1) meter in diameter in the residence and office residence districts or two (2) meters in diameter in all other districts.

(4) Communication towers and antennas that use any portion of a structure, other than the roof or penthouse, for structural support and do not meet the definition of a façade mounted communication antenna.

(b) *Exceptions.* The uses listed below shall be exempt from the provisions of this section as follows:

(1) Communication antennas and transmission equipment mounted to city owned light poles or traffic signal davits in public rights-of-way for which a valid attachment permit has been granted pursuant to Chapter 451 of the Minneapolis Code of Ordinances.

Section 4. That Section 535.540 of the above-entitled ordinance be amended to read as follows:

535.540. - Development standards for all permitted and conditional communication towers, antennas and base units. In addition to the standards of sections 535.490, 535.500 and 535.530 above, all communication towers, antennas and base units shall be subject to the following standards:

(1) Encroachments and setbacks.

a. The tower site and setback shall be of adequate size to contain guyed wires, debris and the tower in the event of a collapse.

b. Communication towers shall maintain a minimum distance from the nearest residential structure equal to twice the height of the tower. For the purposes of this article, residential structures shall also include any parking structure attached to a principal residential structure.

c. No part of any communication tower, antenna, base unit, equipment, guyed wires or braces shall extend across or over any part of a public right-of-way, except communication antennas and transmission equipment mounted to city-owned light poles or traffic signal davits in public rights of way for which a valid attachment permit has been granted pursuant to Chapter 451 of the Minneapolis Code of Ordinances.

d. Communication towers, antennas and base units shall comply with applicable regulations as established by the Federal Aviation Administration.

e. Communication towers, antennas and base units shall comply with the minimum yard requirements of the district in which they are located.

(2) Compatibility with nearby properties. Communication towers, antennas and base units shall utilize building materials, colors and textures that are compatible with the existing principal structure and that effectively blend the tower facilities into the surrounding setting and environment to the greatest extent possible. Metal towers shall be constructed of, or treated with, corrosive resistant material. Outside of the industrial districts, unpainted, galvanized metal, or similar towers shall be prohibited, unless a self-weathering tower is determined to be more compatible with the surrounding area.

(3) Screening and landscaping. A screening and landscaping plan designed to screen the base of the tower and the base unit shall be submitted. The plan shall show location, size, quantity and type of landscape materials. Landscape materials shall be capable of screening the site all year. One (1) row of evergreen shrubs or trees capable of forming a continuous hedge at least six (6) feet in height within

two (2) years of planting shall be provided to effectively screen the base of the tower and the base unit, except for towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes, and light poles and traffic signal davits in public rights-of-way that support communication antennas and transmission equipment. A maintenance plan for the landscape materials shall also be submitted. The city planning commission may consider the substitution of other architectural screening plans such as a decorative fence or masonry wall in lieu of planted materials.

(4) *Rooftop mounted towers and antennas*. Rooftop mounted communication towers and antennas shall not be located on residential structures less than fifty (50) feet in height, except for towers and antennas designed for private reception of television and radio signals and used for amateur or recreational purposes.

(5) *Façade mounted antennas*.

a. *Mounted on freestanding towers and poles*. A façade mounted antenna shall not extend above the façade of the tower or pole on which it is mounted, but otherwise may project outward beyond such façade.

b. *Mounted on city-owned light poles or traffic signal davits in public rights of way*. A façade mounted antenna on an existing city-owned light pole or traffic signal davit shall comply with the standards of Chapter 451 of the Minneapolis Code of Ordinances. Such antennas and transmission equipment shall be painted to match the structure to which they are mounted and shall be designed to minimize the visibility of cables and other appurtenances.

~~b~~ c. *Mounted on all other structures*. A façade mounted antenna shall be mounted flush against the structure on which it is mounted and shall not extend beyond the façade of such structure, except that antennas designed for private reception of television and radio signals, used for amateur or recreational purposes, may extend above the façade of the structure.

(6) *Base units*. Base units shall not exceed five hundred (500) square feet of gross floor area. The city may require as a condition of approval that base units be located underground.

(7) *Security*. All sites shall be reasonably protected against unauthorized climbing. The bottom of the tower, measured from ground level to twelve (12) feet above ground level, shall be designed in a manner to discourage unauthorized climbing.

(8) *Signage*. Advertising or identification of any kind on towers, antennas and base units shall be prohibited, except for applicable warning and equipment information signage required by the manufacturer or by federal, state or local regulations.

(9) *Lighting*. Communication towers and antennas shall not be illuminated by artificial means, except when mounted on an existing light pole or where the illumination is specifically required by the Federal Aviation Administration or other federal, state or local regulations.

(10) *Heritage Preservation Ordinance compliance*. Communication towers and antennas proposed for any locally designated historic structures or locally designated historic districts shall be subject to all requirements of the city's Heritage Preservation Ordinance.

(11) *Radio frequency emissions and noninterference.* The applicant shall comply with all applicable Federal Communication Commission standards.

(12) *Public safety communication system.* The location of the proposed antenna, if located on publicly owned property, shall not be needed for use by the public safety communication system, or if needed, it shall be determined by the director of the property services division of the finance department that co-location of the proposed antenna with a public safety antenna is agreeable.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinance were adopted.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Suahil Abuhamed (BZZ-7144) to rezone the properties located at 1513, 1515, 1517, and 1519 Franklin Ave E and 2008 Bloomington Ave S, from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District, retaining the PO Pedestrian Oriented Overlay District, to allow for a tobacco shop at 1513 Franklin Ave E.

Further, your Committee recommends adopting the related findings prepared by the Department of Community Planning & Economic Development, and passage of Ordinance 2015-Or-050 amending the Zoning Code.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2015-Or-050
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 6/19/2015

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

That part of:

Tract I: 35-029-24-12-0005 (1513 East Franklin Avenue)

That part of Lot 2, Block 1, Eliot's addition to Minneapolis, described as follows: Beginning at the point on North line of said Lot 2 distant 42.5 feet West of the West line of Bloomington Avenue as now located, said point being in the center line of the brick wall between 1515 and 1517 East Franklin Avenue; thence South along said center line and same extended 71.6 feet to a point 42.2 feet west of the West line of Bloomington Avenue as now laid out, thence West parallel with the North line of said Lot 2 a distance of 19.7 feet to the center line of the brick wall, extended South between 1519 and 1515

East Franklin Avenue, thence North along the center line of said wall and same extended 71.6 feet to a point on North Line of said Lot 2 distant 19.65 feet West of point of beginning, thence East 19.65 feet to beginning.

Tract II: 350-029-24-12-0004 (1515 East Franklin Avenue)

Also, that part of Lot 2, Block 1, Eliot's addition to Minneapolis, described as follows: Beginning at a point on North line of said Lot 2, distant 62.15 feet West of West line of Bloomington Avenue as now laid out, said point being in the center line of the brick wall between 1513 and 1515 East Franklin Avenue; thence South along the center line of said wall and same extended 71.6 feet to a point 61.9 feet West of the West line of Bloomington Avenue as now laid out; thence West 21.2 feet to the West line of said Lot 2; thence North on said West line 71.6 feet to Northwest corner of said Lot 2; thence East along the North line of said Lot 2, a distance of 21.05 feet to point of beginning.

Subject to an easement for private alley over the South 6 ½ feet of said Tracts

Together with an easement for private alley purposes over the South 6.5 feet of the North 78.1 feet of said Lots 1 and 2 and over the South 6.5 feet of the North 71.6 feet of Lots 1 and 2 lying East of a line drawing South from a point on the North line of Lot 2 distant 42.5 feet West of Bloomington Avenue as now opened, said point of being the center line of the brick wall between 1515 and 1517 East Franklin Avenue; thence South along said center line and the same extended 71.6 feet to a point 42.2 feet West of the West line of Bloomington Avenue as now laid out.

35-029-24-12-0001(1519 East Franklin Avenue), 35-029-24-12-0002 (1517 East Franklin Avenue), and 35-029-24-12-0003 (2008 Bloomington Avenue South)

That part of Lots 1 and 2, Block 1, Eliot's Addition to Minneapolis, described as follows: commencing at the intersection of the South line of East Franklin Avenue and the West line of Bloomington Avenue as the same is now located; thence South along the West line of Bloomington Avenue South, as now laid out to the South Line of said Lot 1; thence West along the South line of said Lots 1 and 2 to the Southwest corner of said Lot 2; thence North along the West line of said Lot 2 to a point distant 71.6 feet South of the Northwest corner of said Lot 2; thence East parallel with the North line of said Lot 2 to a point 42.2 feet West of the West line of Bloomington Avenue as now laid out which point is the center line of a brick wall; thence North along the center line of said brick wall to a the North line of said Lot 2; thence East along the North line of said Lots 1 and 2, 42.5 feet to the point of beginning, Hennepin County Minnesota,

(1513, 1515, 1517, and 1519 Franklin Ave E and 2008 Bloomington Ave S - Plate 21) to the C2 District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinance were adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by Glidden, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Safety, Civil Rights & Emergency Management Committee:

Amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights: In General (prohibiting discrimination based on receipt of public assistance, including tenant-based Section 8 assistance, regardless of any requirements of such public assistance program).

Pursuant to notice, on motion by Palmisano, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:
Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards (amending regulations for restaurants to reflect recent changes to the City Charter.

RESOLUTIONS

Resolution 2015R-264 recognizing the 2015 National Senior Games was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-264

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Recognizing the 2015 National Senior Games.

Whereas, in 1985 in St. Louis, Missouri, a group of seven men and women formed the original leadership for what was initially known as the National Senior Olympics Organization (NSOO). The vision was to promote healthy lifestyles for adults through education, fitness, and sport; and

Whereas, in the fall of 1985 the NSOO hosted a meeting of individuals who were currently conducting games for seniors in their 33 states. That group planned the first National Senior Olympic Games, held in 1987 in St. Louis. The games were a great success, with 2, 500 competitors. The NSOO was formalized during the games, with a Board of Directors elected, articles of incorporation filed in the state of Missouri, and by-laws adopted. Over 100,000 spectators viewed the first Games ceremony featuring Bob Hope, at the St. Louis Riverfront Arch; and

Whereas, the second National Games also took place in St. Louis in 1989, hosting 3,500 seniors. The games were covered by the New York Times, ESPN, and Good Morning America; and

Whereas, in 1990 an agreement was reached with the United States Olympic Committee based on their objection to the use of the term “Olympic” in the organization’s corporate name. The name was changed to the U.S. National Senior Sports Organization, and the organization began working under the name National Senior Games Association (NSGA). The organization continued to name its signature event the National Senior Games – The Senior Olympics and, through a grandfather clause, states that were using the name Senior Olympics at the time of the USOC agreement were allowed to continue using that name; and

Whereas, the NSGA exists today as a non-profit organization dedicated to motivating active adults to lead a healthy lifestyle through the senior games movement; and

Whereas, the National Senior Games is a championship event for athletes 50 years-of-age and older, from all over the United States; and

Whereas, the 2015 National Senior Games will be held July 3-16, 2015, in Bloomington, Minneapolis, and St. Paul. Over 10,000 athletes will compete for a gold medal in each of the three cities;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council declares the 10th Day of July 2015 to be National Senior Games Day in the City of Minneapolis, and that the 35W Bridge be lit in red, white, and blue on this day.

Resolution 2015R-265 recognizing the Twin Cities Polish Festival was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-265

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, Johnson, and Palmisano**

Recognizing the Twin Cities Polish Festival.

Whereas, the Twin Cities Polish Festival will host its eighth annual event along the Mississippi River in historic Minneapolis the second weekend of August, 2015; and

Whereas, the Twin Cities Polish Festival is a non-profit 501 (c) (3) organization dedicated to providing a world-class celebration of Polish culture and traditions to the Twin Cities; and

Whereas, the Twin Cities Polish Festival presents Minneapolis, Minnesotans and visitors with “all things Polish,” providing a kaleidoscope of unique cultural, historical and educational displays and ethnic food against the backdrop of the rich and diverse musical genres of Polish music; and

Whereas, the Twin Cities Polish Festival is open and welcoming to all; and

Whereas, the festival’s objectives are to Stimulate an interest in Poland, encourage Polish Americans to explore their heritage, to create a Minnesota network of vibrant and culturally aware supporters of Poland, create a family-oriented gathering place, and to provide an economic opportunity for Polish entertainers, artists, and crafters to perform in front of audiences as well as Polish-American organizations and vendors to showcase their talents, products, and services; and

Whereas, this year’s Twin Cities Polish Festival will be held August 7 – 9 along the Mississippi River on Old Main Street, in Minneapolis and the 35W Bridge will be lit in red and white on Saturday, August 8, 2015; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council recognizes The Twin Cities Polish Festival on August 8, 2015 in the City of Minneapolis and that the 35W Bridge be lit in red and white on this day.

Resolution 2015R-266 establishing a Major League Soccer Stadium Work Group was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-266

By B. Johnson

Establishing a Major League Soccer Stadium Working Group.

Whereas, the City of Minneapolis is home to four major sports franchises, the Twins, Vikings, Timberwolves, and Lynx whose activities, and those of their fans, provide important support for local, state, and regional economies, assets that directly contribute to development and future investment in the community, and sources of civic pride providing entertainment and enjoyment for individuals and families throughout the State of Minnesota; and

Whereas, a Major League Soccer franchise is proposed to be located in the City of Minneapolis, which further expands upon the existing benefits and investments realized from other sports franchises, and the City of Minneapolis is the natural choice for a Major League Soccer franchise; and

Whereas, soccer is the fastest-growing sport in the world, and having a major soccer franchise located in Minneapolis would bring international appeal to the most culturally diverse and dynamic community in Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That a Major League Soccer (MLS) Stadium Working Group is hereby established to undertake a needs analysis that would include, but not be limited, to the following factors:

- 1) The need or desirability for improved public infrastructure to support an MLS Stadium and potential future development in the Farmers Market area, including consideration of the impact of a stadium and related development on City-owned facilities and infrastructure needs and plans connected to the potential light rail station to be located along Royalston Avenue;
- 2) The potential impact of an MLS Stadium and potential future development on the City's tax capacity, including property and sales taxes, and impacts on other publicly-owned facilities;
- 3) The identification of sites within the Farmers Market area for potential future development and a strategy for working cooperatively with Hennepin County and other stakeholders on financing infrastructure and related issues;
- 4) Analysis of soil and geo-technical data from the Farmers Market site;
- 5) Determination of a legislative strategy, if any, to support an MLS Stadium;
- 6) The identification of public benefits that could be obtained from the development of an MLS Stadium in the City of Minneapolis; and
- 7) Any other issues identified by the Working Group.

Be It Further Resolved that the membership of the MLS Stadium Working Group shall consist of the following individuals:

- 1) Mayor Betsy Hodges, or her designee;
- 2) Council President Barbara A. Johnson;
- 3) Council Member Jacob Frey;
- 4) Council Member Blong Yang;

- 5) Council Member Lisa Bender;
- 6) Council Member John Quincy;
- 7) City Attorney Susan Segal;
- 8) Chief Finance Officer Kevin Carpenter;
- 9) Public Works Director Steve Kotke;
- 10) Intergovernmental Relations Director Gene Ranieri;
- 11) Community Planning & Economic Development Deputy Director Chuck Lutz; and
- 12) Economic Development Director David Frank.

Be It Further Resolved that the MLS Working Group is hereby directed to complete its work and to present its findings, analysis, and recommendations in a public report submitted to the Committee of the Whole in September 2015, with a final report to the full City Council by no later than its final regular meeting in its 2015 Session.

NEW BUSINESS

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 4 of the Minneapolis Code of Ordinances relating to Animals and Fowl (amending, repealing, renaming, and adding various provisions, sections, articles, and chapters related to the care, control, and regulation of animals):

- a) Chapter 62 relating to In General.
- b) Chapter 64 relating to Dogs, Cats, Ferrets, and Rabbits.
- c) Chapter 65 relating to Ferrets.
- d) Chapter 66 relating to Rabies Control.
- e) Chapter 67 relating to Managed Care of Feral Cats.
- f) Chapter 68 relating to Pet Shops, Kennels, Etc.
- g) Chapter 70 relating to Fowl, Pigeons, and Other Small Animals.
- h) Chapter 72 relating to Diseased, Injured or Dead Animals.
- i) Chapter 74 relating to Miscellaneous Regulations.
- j) Chapter 76 relating to Stables.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk

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COMMITTEE OF THE WHOLE:

POLICE DEPARTMENT (278437)

Receiving and Filing a presentation on the role and mission of the National Initiative for Building Community Trust and Justice three-year project with the City of Minneapolis.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES:

LICENSES AND CONSUMER SERVICES (278438)

Outdoor Bar and Bar Areas: Ordinance amending Title 14, Chapter 360 to allow approved outdoor bar and bar areas at micro distilleries and taprooms located outside of the central commercial district.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278439)

Construction Management Agreement Provisions: Ordinance amending Title 5, Chapter 87 relating to the expansion of the required neighborhood mailed notice to property owners from 50' to 350' within the permit site inviting them to a neighborhood informational meeting to be held within 3 miles of the permit site.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278440)

Land Sale (2701 Oliver Ave N): Approving the sale of property to Reliable Property Maintenance & Home Service LLC for \$1.00, subject to conditions.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278441)

Land Sale (3522 Aldrich Ave N): Approving the sale of property to Hashim Yonis for \$28,000, subject to conditions.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278442)

Minneapolis Workforce Council: Mayoral appointments and waiver of residency requirement.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278443)

Property Assessed Clean Energy (PACE) Improvement Financing Program: Resolution authorizing the execution of an amended and restated joint powers agreement with the Port Authority of the City of Saint Paul for a property assessed clean energy improvement financing program.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278444)

Vantage Flats Apartments (5359 Minnehaha Ave): Amendment and re-subordination of the City's Bond Regulatory Agreement; and amending and re-subordinating the City's Affordable Housing Trust Fund (AHTF) loan.

HEALTH DEPARTMENT (278445)

Maintenance Code Housekeeping: Ordinance amending Title 12, Chapter 244 adding or deleting language to remove conflicts with Minnesota Statutes and Rules.

LICENSES AND CONSUMER SERVICES (278446)

Anelace Coffee (2402 Central Ave NE): Application for a Sidewalk Café license (See L&CS action).

LICENSES AND CONSUMER SERVICES (278447)

Bottle & Bottega Minneapolis (1216 W Lake St): Application for an On-Sale Wine with Strong Beer, Class D license (See L&CS action).

LICENSES AND CONSUMER SERVICES (278448)

DuNord Craft Spirits (2610 E 32nd St): Application for an Off-Sale Liquor Distilled Spirits License (See L&CS action).

LICENSES AND CONSUMER SERVICES (278449)

Fair State Brewing Cooperative (2506 Central Ave NE): Application for an On-Sale Liquor Taproom with Sunday Sales, Class E License (See L&CS action).

LICENSES AND CONSUMER SERVICES (278450)

License Applications: Licenses & Consumer Services agenda recommendations.

LICENSES AND CONSUMER SERVICES (278451)

Lulu's Street Food (424 Brookwood Dr, Hudson, WI held by Tanya Orosz): Conditions to be placed on Mobile Food Vehicle Vendor License.

LICENSES AND CONSUMER SERVICES (278452)

Mac's Fish and Chips (612 54th St W): Application for a Sidewalk Cafe License (See L&CS action).

LICENSES AND CONSUMER SERVICES (278453)

Northgate Brewing (783 Harding St NE): Application for an On-Sale Liquor Taproom with Sunday Sales, Class E License (See L&CS action).

LICENSES AND CONSUMER SERVICES (278454)

Troubadour Wine Bar (2827 Hennepin Ave): Application for an On-Sale Wine with Strong Beer, Class C2 and a Sidewalk Cafe License (See L&CS action).

LICENSES AND CONSUMER SERVICES (278455)

Wander North Distillery (771 Harding St NE): Application for an On-Sale Liquor, Class C2, Cocktail Room and an Off-Sale Liquor, Distilled Spirits License (See L&CS action).

REGULATORY SERVICES (278456)

Mississippi Watershed Management Organization (MWMO): Authorizing an agreement with the MWMO for the City of Minneapolis to provide illicit discharge sampling activities in the Mississippi River in exchange for up to \$6,000 per year through December 31, 2019.

REGULATORY SERVICES (278457)

Rental License Dwelling Re-instatement (4255 Penn Ave N - owner Li Ding): Reinstatement of license.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):

HEALTH DEPARTMENT (278465)

Professional Services Agreement with 1 Way Entertainment, LLC: Substitute language for intellectual property provision found in standard agreement.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):

COUNCIL MEMBERS REICH & GORDON (278458)

Resolution establishing recycling and composting goals for the City of Minneapolis.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):

HEALTH DEPARTMENT (278460)

Bid: OP No. 8113 from Riverview Window, Inc. for Lead Reduction Services.

HEALTH DEPARTMENT (278462)

Healthy Homes Services: Contract amendment with Minnesota Remodeling & Restoration for lead hazard reduction services as part of a HUD grant agreement.

HEALTH DEPARTMENT (278463)

Healthy Homes Services: Contract with Center for Energy and Environment to provide Healthy Homes Services through 2017.

HEALTH DEPARTMENT (278466)

Skyway Senior Center Revenue: Accepting estimated revenue of \$20,000 from Augustana Care Minneapolis in sponsorship of the Skyway Senior Center; and Resolution appropriating funds.

NEIGHBORHOOD AND COMMUNITY RELATIONS (278461)

Guidelines for Expending Consolidated Tax Increment Financing (TIF) Funds: Staff recommendations to use Consolidated TIF Funds for operations costs of Neighborhood and Community Relations Department with no changes to eligible uses until further work on Neighborhoods 2020 has been completed.

NEIGHBORHOOD AND COMMUNITY RELATIONS (278464)

One Minneapolis Fund: 2015 project recommendations and authorizing execution of contracts with organizations receiving funds.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATIONS (278467)

Bonding Request for Governor's 2016 Capital Investment Bill:

- a) Receiving and filing Minneapolis Fire Department presentation on the proposed expansion of the Urban Search and Rescue Training Facility (USAR Training Facility Project.)
- b) Authorizing documentation submission to the Minnesota Department of Management and Budget's (MMB) Capital Investment Budget process for consideration in the Governor's 2016 Capital Investment bill and approving resolution and ranking of 2016 capital improvement projects for submission to the Commissioner of the Minnesota Department of Management and Budget.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT:

CIVIL RIGHTS (278468)

Contract Compliance Division 2015 First Quarter Report.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT (See Rep):

POLICE DEPARTMENT (278469)

Body-Worn Camera Pilot Program Grant: Updated report re grant application submission to the Bureau of Justice Assistance seeking up to \$600,000, including a required matching component, to provide funds to develop, implement, and evaluate a comprehensive program for body-worn cameras by selected Police Department personnel.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):

CIVIL RIGHTS (278470)

Minnesota Justice Foundation Summer Clerkship Program: Authorizing acceptance of grant funds in the amount of \$4,500 from the Minnesota Justice Foundation Summer Clerkship Program.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (278471)

Minneapolis Stormwater Management Program and Annual Report: Setting public hearing for July 14, 2015.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (278472)

East Downtown Pedestrian Realm Augmentation Study: Preferred Long Term-Vision.

PUBLIC WORKS AND ENGINEERING (278473)

Minneapolis Institute of Arts 100-Year Gala Celebration: Block Event Permit.

PUBLIC WORKS AND ENGINEERING (278474)

National Pollutant Discharge (NPDES) Municipal Separate Storm Sewer System (MS4) Permit: Certification of application for reissuance of permit.

PUBLIC WORKS AND ENGINEERING (278475)

Shingle Creek Watershed Management Commission: Joint Powers Agreement amendment.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS (See Rep):

PUBLIC WORKS AND ENGINEERING (278476)

Bid for Aerial Platform Trucks: OP No. 8120, Low responsive bid of Nelson Auto Center, Inc.

PUBLIC WORKS AND ENGINEERING (278477)

Bid for Asphalt Paving Machine: OP No. 8116, Single bid of Road Machinery and Supplies Company.

PUBLIC WORKS AND ENGINEERING (278478)

Bid for Hennepin/Lyndale Sanitary Sewer Improvements: OP No. 8117, Low bid of Minger Construction Company, Inc.

PUBLIC WORKS AND ENGINEERING (278479)

Hennepin-Lyndale Street Reconstruction Project No. 6726 (Franklin Ave W to Dunwoody Blvd): Project approval and assessment public hearing; and Comments.

PUBLIC WORKS AND ENGINEERING (278480)

Nicollet Mall Public Art: Agreements with four selected artists.

PUBLIC WORKS AND ENGINEERING (278481)

On-Street Parking Multi-Space Pay Station System: Contract amendment with Cale America, Inc.

PUBLIC WORKS AND ENGINEERING (278482)

Powderhorn West Street Resurfacing Project No. 5278 Designation Correction: a) Amending Resolution 2015R-165 designating the project to correct project location; and b) Amending Resolution 2015R-239 ordering the work to proceed to include references to amended designation resolution.

PUBLIC WORKS AND ENGINEERING (278483)

Public Improvement Special Assessment Interest Rates: a) Revised policy for setting rates; and b) 2015 rates for 2016 collections.

PUBLIC WORKS AND ENGINEERING (278484)

West Lake Multimodal Transportation Study Cooperative Agreement: Cooperative Funding Agreement with Metropolitan Council, Hennepin County, and Minneapolis Park and Recreation Board.

WAYS AND MEANS (See Rep):

ATTORNEY (278485)

Legal Settlement:

Alan J. Morrison v. City of Minneapolis settlement of lawsuit by payment of 2,870.00.

ATTORNEY (278486)

Legal Settlement: Eric Hullett v. Tyler Edwards, et al. settlement by payment of \$17,500.00 payable to Eric Hullett, and his attorney Edwin Goss.

ATTORNEY (278487)

Legal Settlement: Joshelle Sims v. City of Minneapolis, et al. settlement of a lawsuit by Joshelle Sims, by payment of \$11,000.00 to Joshelle Sims and her attorney Stephen L Smith, Esq.

ATTORNEY (278488)

Legal Settlement: Ronald Huebner v. City of Minneapolis, et al. settlement of a lawsuit by plaintiff Ronald Huebner by payment of \$15,000.00 to the Plaintiff and his attorney, Charlie Alden.

ATTORNEY (278489)

Legal Settlement: Sherrod W. Roy v. City of Minneapolis and Christopher D. Tucker settlement of a lawsuit by payment of \$17,000 to the Plaintiff and his attorneys, Fishman, Carp Bescheinen & Van Berkom.

ATTORNEY (278490)

Legal Settlement: Susan Burchill v. City of Minneapolis settlement of Workers' Compensation claim by payment of \$85,000.00 payable to Susan Burchill and her attorneys, Brabbit & Salita.

ATTORNEY (278491)

Legal Settlement: Victor Junior Burks v. City of Minneapolis and Christopher Carlson settlement and the Metropolitan Council workers compensation lien by payment of \$23,750 to Victor Junior Burks and his attorneys at Schwebel, Goetz and Sieben, P.A.; payment of \$7,000 to the Metropolitan Council.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278492)

Public Art Conservation and Maintenance Program - Pool of Qualified Art Conservators: Authorizing City officers to execute a three-year master service agreement with each of the two successful firms for the period August 1, 2015, through August 1, 2018, including an option for a two-year renewal period, for a pool of qualified art conservators to maintain the City's public art collection.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278493)

Public Art Consulting - Walker Library: Authorizing City officers to execute an agreement with Hennepin County, and to accept funds in the amount of \$4,590, for the development of public artworks for Walker Library.

CONVENTION CENTER (278494)

Approving increase of contract C-37506 with Elliot Contracting (OP No. 7844) by the amount of \$665.00 resulting from submitted change orders for a new total amount of \$48,810.00 to allow for close-out and final payment.

CONVENTION CENTER (278495)

Approving increase of contract C-37525 with Twin Cities Acoustics (OP No. 7844) by the amount of \$358.09 resulting from submitted change orders for a new total amount of \$8213.09 to allow for close-out and final payment.

CONVENTION CENTER (278496)

Approving increase of contract C-37531 with Meisinger Construction (OP No. 7844) by the amount of \$358.00 resulting from submitted change orders for a new total amount of \$60,108.00 to allow for close-out and final payment.

CONVENTION CENTER (278497)

Approving increase of contract C-37564 with Northern Air Corporation (OP No. 7844) by the amount of \$2302.04 resulting from submitted change orders for a new total amount of \$104,652.04 to allow for close-out and final payment.

CONVENTION CENTER (278498)

Bid for Public Space Painting Project: Approving single bid of Julius B. Nelson and Son, Inc. (OP No. 8094), in the amount of \$749,950.00 to furnish and deliver all labor, materials, and incidentals necessary for the Minneapolis Convention Center Public Space Painting Project.

CONVENTION CENTER (278499)

Bid for Target Center Elevator Modernization: Approving low bid of Suburban Elevator (OP No. 8110) for an estimated expenditure of \$775,295.50 to furnish and deliver all labor, materials and incidentals necessary for the Target Center Elevator Modernization, and authorizing the proper City officers to execute a contract for the project.

CONVENTION CENTER (278500)

Bid for Target Center Walk-in Cooler Project: Approving low bid of Hockenbergs / Grand Foodservice Equipment, Inc. (OP No. 8109) for an estimated expenditure of \$273,386.00 to furnish and deliver all labor, materials and incidentals necessary for the Target Center Walk-in Cooler Project, and authorizing the proper City officers to execute a contract for the project.

FINANCE DEPARTMENT (278459)

Settlement with Internal Revenue Service of \$135,000 Resolution amending 2015 General Appropriation Resolution to appropriate an additional \$135,000 in the department of Community Planning and Economic Development, using reserves from the City's Common Bond Fund ("CBF").

FINANCE DEPARTMENT (278501)

Alpha Review Medical Review Billing Services Contract Extension Authorizing a 2-month contract extension with Alpha Review Corporation for payment of administration fees under the same terms for services provided on April 20, 2015, and an additional \$71,000 to cover the fees for this period.

FINANCE DEPARTMENT (278502)

Initiation of Legal Proceedings to Collect Subrogation Claims: Authorizing to collect subrogation claims for damages to City property in an amount not to exceed \$45,000, through the initiation of legal proceedings with the consent of the Office of the City Attorney.

FINANCE DEPARTMENT (278503)

Investment Policy and Strategy Revisions: Approving implementation of investment policy revisions as directed by March 2015 City Council divestment resolution.

FINANCE DEPARTMENT (278504)

Potential Acquisition of the Roof Depot Property: Authorizing City officers to negotiate for the possible acquisition of 1860 28th Street East and 2717 Longfellow Ave. commonly referred to as the "Roof Depot" properties, for the expansion of the City's Hiawatha Campus.

FINANCE DEPARTMENT (278505)

Settlement with Internal Revenue Service of \$135,000: Resolution authorizing City staff to execute a settlement agreement with the Internal Revenue Service ("IRS") in the amount of \$135,000 pursuant to examination findings regarding potential taxability of City of Minneapolis Limited Tax Supported Development Revenue Bonds.

HUMAN RESOURCES (278506)

Labor Negotiations: Approving a tentative agreement with the Convention Center Unit, represented by Minnesota Teamsters Public and Law Enforcement Employees Union, Local No. 320, for the period January 1, 2015, through December 31, 2017.

HUMAN RESOURCES (278507)

Labor Negotiations: Approving a tentative agreement with the International Union of Operating Engineers, Local 49, for the period January 1, 2015, through December 31, 2017.

HUMAN RESOURCES (278508)

MetroPass Program License: Authorizing city officials to execute a five-year license agreement with Metropolitan Council as permitted under the City of Minneapolis Voluntary Employees' MetroPass Program. The Program price for the first year of the license is estimated to be approximately \$475,000.

HUMAN RESOURCES (278509)

Revisions to the Appointed Officials Compensation Plan:

- a) Approving a general wage adjustment of 2.2% effective January 1, 2015.
- b) Adopting an eight-step salary structure for all positions within the Appointed Officials Compensation Plan effective January 1, 2015.
- c) Approving a January 1, 2015, transition of current employees to the corresponding step on the new schedule.
- d) Authorizing annual step movement from the date of job entry, and promotions provided satisfactory or better job performance.
- e) Directing staff to prepare a document for the administration and maintenance of the new compensation plan, including administrative mechanisms to maintain market competitiveness and internal equity.
- f) Directing staff to implement the necessary corrections to restore external market competitiveness as established and approved by the previously adopted Appointed Officials Compensation Plan maintenance policy, with the exception of the Internal Auditor position, as follows: 3% increase effective July 1, 2015, and 3% increase effective December 31, 2015.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278510)

Govern System Computer Assisted Appraisal and Land Management System - Contract Amendment: Authorizing proper City officials to: Extend the existing N. Harris contract, C00-15921 for three additional years through December 31, 2018, and update the City's General Terms and Conditions to reflect current standards.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278511)

ServiceNow Service Desk Functions - Contract Amendment: Authorizing proper City officials to amend contract C-39200 with OneNeck IT Solutions LLC to include professional services for implementation of the ServiceNow service desk functions. No monetary increase to the contract is necessary, nor is additional funding needed.

WAYS AND MEANS and ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278512)

Bid for Powderhorn Park Art Restoration Project: Accepting low bid from Blackstone Contractors, LLC (OP No. 8107) in the amount of \$105,878 to furnish and deliver all labor, materials and incidentals necessary to complete the Powderhorn Park Art Restoration Project, and authorizing the proper City officers to execute a contract.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (278515)

North Side Station Historic Landmark Designation: Resolution approving the local historic landmark designation of the North Side Station located at 2418 Washington Ave N.

PLANNING COMMISSION/DEPARTMENT (278513)

420 E Hennepin Ave Alley Vacation (Vac-1641) submitted by Tanek Architecture Design to vacate that part of the alley as shown on the plat of Rearrangement of Block 11, St. Anthony Falls Addition, bounded by Lots 1, 2, and 3, and by Central Ave.

PLANNING COMMISSION/DEPARTMENT (278514)

Franklin Ave E and Bloomington Ave S rezoning submitted by Suahil Abuhamed to rezone 1513, 1515, 1517, and 1519 Franklin Ave E and 2008 Bloomington Ave S to the C2 District, retaining the PO Pedestrian Oriented Overlay District, to allow for a tobacco shop.

PLANNING COMMISSION/DEPARTMENT (278516)

Telecommunications Towers, Antennas, and Base Units Regulations Ordinance: Amending Chapter 535 of Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, Regulations of General Applicability, revising the regulations for telecommunications towers, antennas, and base units in the public right-of-way, and returning Chapters 520, 525, 531, and 551 to the author.

FILED:

STEVEN A WILLIAMS (278517)

Alley Vacation: Vacated part of public alley per Resolution 97R-216, being the same that lies northwesterly of Washington Ave S between 12th Ave S and Highway on-ramp Interstate Highway No. 35W.

YOUTHLINK, A MINNESOTA NONPROFIT CORPORATION (278518)

Vacation Application: A portion of 12th St N between Chestnut St and West Linden St.

Official Posting: 6/27/2015
Corrections: 7/7/2015